

## OBSERVATIONS

Upon the

## KINGS

TWO

## DECLARATIONS

Given at

## St. GERMAINS

In Laye the Second of April, 1666.

*The one, concerning the Affairs of those of the pretended Reformed Religion.*

*The other, Entituled against the Relapsed and Blasphemers.*

## The Preface of the First Declaration.

**L**EWIS, By the Grace of God, King of France and Navarr, To all those to whom these Presents shall come, Greeting. Our greatest care since we came unto the Crown hath been to maintain our Catholick Subjects, and those that be of the pretended Reformed Religion in perfect Peace and Tranquility, observing exactly the Edict of Nantes, and that of the Year 1629. But although the Laws foresee those Cases which happen more ordinarily, so as to apply thereto necessary pre-cautions; yet seeing a multiplicity of Actions which daily occur, cannot be reduced to one certain rule; It was therefore necessary to make particular provisions as soon as difficulties of any sort did occasionally arise, and therein to make Judgement and Decision by the ordinary Rules and Forms of Justice: Which thing hath made way for many Decrees made in our Council, and sundry others passed in our Chambers of the Edict, of which there having been no publick notice given, our Subjects have found themselves often engaged in Suites and Contestations, which they might have then avoided, if they had known that the like questions had been already decided by former Judgements: Insomuch that for preventing the like inconveniencies, and to nourish Peace and Amity among our Subjects, as well Catholicks

tholicks as those of the pretended Reformed Religion, the Arch-Bishops, Bishops, and other Ecclesiastick Deputies in the General Assembly of the Clergy, which is held at present by our permission in our good City of Paris, have very instantly besought us to reduce the said Decisions into one single declaration, adjoining thereto certain Articles touching some Actions thereupon occurring, to the end that the whole may be made more notorious and publick to all our Subjects; and that by this means they having no cause to pretend Ignorance, may conform themselves thereto, and cause to cease the discords and altercations which may arise on such like actions; and that what hath been Fudged and decided by the said Decrees, may be for ever confirmed and established, and may be put in Execution as a Law inviolable. For these causes with the advice of our Counsell, and of our certain knowledge, full power and authority Royal, We have by these Presents signed with our hand, said, and declared, say and declare, We Will, and it is our Pleasure that the said Decrees made in our Counsell, be kept and observed according to their form and tenour, in such manner.

### Observations upon this Preface.

**I**F this Declaration, which contains fifty nine Articles, had hurt them of the pretended Reformed Religion only in points of Commodity and Convenience; they have so much respect for whatsoever bears the August name of their Sovereign, they would have contained themselves in silence, and not have troubled by the importunity of their Complaints, the satisfaction which this great Monarch doth enjoy in the sweets of Peace and prosperities of his Estate. But the deplorable extremity to which they see themselves to be reduced, doth forcibly draw from them whether they will or no, those groans which they would have stifled if their Sorrows had not been extreme. For this Declaration which they esteem as the greatest and most rigorous blow, by which they could be smitten; like a clap of Thunder, doth throw them into the greatest terrors, and doth not suffer them to be silent: And it seems to them that they should make themselves Criminals, if upon this so pressing an occasion, which threatens their Goods, their Honours, their Families, their Lives, and which is yet more and more dear unto them, their Religion, and the Liberty of their Consciences, they should not cause their sad voice to be heard by his Majesty, for that were no other than to testify an injurious distrust, as if his Justice and his Royal protection could be wanting to his miserable Subjects, who come to prostrate themselves at the feet of this extraordinary Prince, given of God expressly for this end, that he might do good unto men, and that his Scepter, no less Just than Puissant, might be the Sanctuary of afflicted Innocence. So that it is not only their necessity but their fence of their Duty it self, which gives them of the pretended Reformed Religion the boldness to address themselves unto the King, to demand of him with all profound Humility, the revocation of an Ordinance, which is not properly his own work, but of them of the Clergy who have suggested it.

Kings have alwayes at the highest point of their Grandeur and of their Puissance, made no difficulty to change their most absolute Orders, when they have been caused to understand that they had been surprised. And yet even from this also they have received Glory; because to give Laws, is only to rule over others. but to revoke those, which Persons interested have imposed upon the Spirit of the Prince, is to Reign over Himself; and this is the means by which Sovereign Force may make it self to be acknowledged through all the World as truly worthy of Empire, if the love of Justice be more powerfull in his heart than that of his Sovereign Authority. There is then reason to hope for these generous sentiments, from a King whose Soul is yet more noble than the Crown it self which he wears; and whose resolution hath already begun to display it self in naming Commissioners of the highest dignity to review the Declaration now in debate. Which is a Piece that appears so many strange wayes, that they themselves who made it would confess it to be so, if they could but for some moments of time devest themselves of their prejudice.



1. First of all, the Declaration sets forth, That it was granted at the request, and upon the very instant Supplications of the Arch-Bishops, Bishops, and other Ecclesiastical Deputies in the Assembly of the Clergy. Which had it not been so clearly expressed, might nevertheless have been easily known by reading the Memoires of the Clergy, those publick Memoires which were Printed in the Year one thousand six hundred and sixty six. For all the same things which were remarkable, and which the Clergy pretended to at that time: all the demands which they made; all the Decrees they proposed to themselves to obtain, are found in the Articles of this Declaration. In regard whereof they can be looked upon no otherwise than as the Execution of those so destructive Memoires, since therein may be seen all the pretensions of the Clergy turned into form of Rules, and Ordinances.

II. Besides, who else but the Ecclesiasticks, that is to say, most passionate Parties, could ever have conceived that thought which they had, and which they have by surprize caused to be set in the Preface of this Declaration, where it is said, *that what hath been judged and decided by the Decrees of the Counsell, should be confirmed and established for ever, and be executed as a Law inviolable.* For to desire that the Decrees in generall made in Counsel, that is to say, Decrees whereof many were given upon a Petition only, and without Cognissance of the Cause; or upon particular Actions and upon circumstances extraordinary, should pass into a Law inviolable throughout the Realm, certainly is a thing that cannot easily be conceived. There is no thing more common than to see the Decrees of the Counsel annulled by others subsequent, because the King being better informed of the State and truth of things, Wills that the Rights of Justice should be maintained on the same Tribunal where the artifice of the Parties would have given it some defeat; Decrees being indeed no Rules of the Law, but on the contrary, the Law the true Rule of Decrees.

III. The Form and Tenure of the Articles makes it no less clear that the Declaration was a surprize. For they are all prejudicial to the Pretended Reformed Religion. And in the mean time the King in the beginning of the Preface doth say expressly, *that his greatest care since his coming to the Crown, hath been to maintain his Catholick Subjects and those of the Pretended Reformed Religion in perfect Peace and Tranquility:* And a few lines after, that the design of this Declaration was to *nourish Peace and Amity amongst his Majesties Subjects as well Catholicks as those of the Pretended Reformed Religion.* In pursuance of this design truly worthy the Justice and Goodness of the King, the Declaration ought to have been conceived in such sort, that in giving satisfaction to the one, some regard might have been had at least of the weal and subsistence of the other; and that not only they of the Roman Catholick Religion, but they also of the Pretended Reformed Religion might have found therein some matter of contentment. But contrary to this so just a Maxim, this whole Declaration is to the disadvantage of the latter; and so far from being proper to nourish Peace and Amity that it can serve for nothing else but to beget eternal troubles and divisions. This is one manifest proof that it was neither the King nor his Counsell that formed this Declaration, not only so partial but so openly contrary to so considerable a party of his Majesties Subjects. For Kings have not been wont to deal after this manner in the Regulations which they make for the union and repose of the persons whose differences they would appease. They do alwayes conserve the interest of the one part with the other betwixt whom they seek to establish Concord and good Understanding. The Edict of Nantes hath been conceived by this true Spirit of Royalty. For it propounds so to regulate the Affairs of those of the Catholick, Apostolick and Roman Religion and those of the pretended Reformed Religion, *that both the one and the other might find therein some cause to be contented.* And also for the composing thereof Henry the Great called unto his person, the most prudent and best qualified of the two Religions, that he might confer with them. He received their Bills, he hearkned to their Complaints and to their Remonstrances, to the end he might not be surprized in any point. But here they of the pretended Reformed Religion were neither heard nor called; the Ecclesiasticks only in this (rencontre) had the honour to approach unto the person of the King; and having disguised matters unto him according to the dictates of their passion, they have imposed upon him sinister impressions to the prejudice of the truth, to the end they might cause him to set forth a Declaration which they had a long time before framed in their own bosoms. It is then the Clergy who have suggested it through the motives of their hatred against them of the pretended Reformed Religion, and who were desirous therein to accumulate all things whatsoever their passion could enable them to imagine, as most proper to atchieve their overthrow and ruine.

IV. But that which renders this surprize in every respect sensible and palpable, is the publick protestation which the King makes in the entrance of this Declaration, that he will *observe exactly the Edict of Nantes and that of 1629.* for it will be found that this Declaration is so very far from exactly observing those Edicts so authoris'd, that it repeals them in many of its Articles; so that none can doubt but that it is contrary to the intention of his Majesty, and that they who have obtained it have surpris'd him in the sincerity of his heart. For where is the person so rash or so wicked, as to dare to say that the King doth indeed protest that he will observe the Edict of *Nantes*, but that notwithstanding it is not his intention? They are none but the enemies of *France* and of the glory of our illustrious Monarch who can make such discourses. They of the pretended Reformed Religion who are resolv'd to live and die in the respects which they owe unto his Sacred Majesty, can never have such a suspicion of so admirable a Prince, and the Grand-Child of *Henry* the Great. For that great Heroe who hath transmitted unto him his Vertues with his Blood, gives us very well to understand that his posterity are incapable of any such procedure, when he pronounces these generous words which the History hath preserved and he address'd in so firm a tone to them of the Parliament of *Paris* about the matter of the Edict of *Nantes*. *I find it not good, saith he, to intend one thing and write another, and if any have done so, I will not do the same. Couzenage is altogether odious, but most of all in a Prince, whose word ought to be unchangeable.*

*Mathieu* in the History of *Henry* the fourth Book 2.

The Successor then and worthy Imitator of *Henry* the Great having given his Royal word, and willed himself that the Publick should be thereof both depositary and witness even of this his word, by which he hath engag'd to observe exactly the Edict of *Nantes*; it cannot be deny'd that all that whatsoever it be which clashes with this perpetual and irrevocable Edict, is at the same time contrary unto the Will of his Royal Majesty. Being then it is so, that almost in all the Articles of the Declaration of 1666. there are contrarieties to the Edict, we must needs conclude that they are so many surprizes, of which his Majesty will do right to his Justice by making a solemn revocation of the same.

V. They who have contriv'd them believed that they had found a very specious pretext under which they might procure them to pass, when they represent'd to his Majesty that the Law could not foresee all those particular actions which might occur in the succession of time, and that therefore besides the Edict of *Nantes* some other Declaration must be had, which might serve for a certain Rule. But this pretense is also another surprize. For the Edict it self styles it self a *general, perspicuous, clear and absolute Law*, by which all those of the one or the other Religion should be regulated in all the differences which had befall'n or should hereafter occur betwixt them. But for the full discovery of the vanity of this artificial pretext, they of the Pretended Reformed Religion maintain, that this Declaration under the pretence of explicating and interpreting this Edict, doth ruine it, and that the settlements of the one are the overturners of the other.

Which thing will appear as clear as day by the following observations, which will give us to see that the greater part of those things which are contained in this long Declaration are contrary to the Edict of *Nantes*, or if there be any which are not of that number, they are unprofitable Innovations, and which can serve for nothing unless it be secretly to dress a Trap for the Liberties of those of the pretended Reformed Religion. These are the two Hinges upon which all these following remarks do rowl, and these two Principles do equally conclude to cause a revocation of this Declaration; since that the Articles contrary to the Edict cannot accord with the intention of his Majesty, and those which are fruitless are unworthy to hold any rank in a Royal Ordinance.

## ARTICLE I.

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Prohibition to Preach any other where than in the places appointed for that usage.

*That the Ministers may not make their Sermons in any other places than those destinate to that usage, and not in publick places on any pretext whatsoever.*

## OBSERVATION.

IF this Article carried no other sense than what appears in open view, they of the pretended Reformed Religion had found nothing to say unto it, seeing that they never pretended that it was permitted them to Preach in any publick place. But these last words which are read in the end of this Article *under any Pretense whatsoever*, are an Artifice which the Ecclesiasticks have invented for to ruine the Liberty of those of the pretended Reformed Religion, and to authorize certain Decrees gotten of the Counsel; by surprize For they would joyn these terms, *under what pretext soever it be*, not to the second clause of the Article where it speaks of publick places, but to the first, which in general forbids to preach else-where than in places appointed for that usage. So that by vertue of these words they will prohibit them who have petty Fees to cause Sermons to be made in their own houses, where they have no Temples nor Places particularly appointed for preaching: which notwithstanding is contrary to the eighth Article of the Edict of *Nantes*, wherein the right of these Fees is formally established. And besides, if a Temple fall to ruine, or is pulled down in some popular sedition, or burnt by fire, they will pretend that they who have accustomed to hold their exercise in that place, cannot assemble in any near place, or Neighbour house untill such times as the Temple is re-built, and if a Temple be made unaccessible by a deluge of waters, or if the Plague, or Enemies, or any other Obstacle hinder their approach thereunto; they will pretend the same thing, against Reason and Justice, and also against the Sixth Article of the particulars of the Edict of *Nantes*. Finally, if they of the pretended Reformed Religion be obliged to transfer their Exercises for necessary reasons, and there observe all conditions requisite; or if they Preach to their Assemblies in the Country in places uncovered where they have right; they will thereupon raise Troubles and Suits in consequence of this Article. This is the cause why they of the said Religion do most humbly beseech his Majesty to revoke this Article as tending to give occasion to many vexing contestations, and contrary to the intention of the Edicts: or it will be necessary for removing all matters of vexation instead of these terms, *under any pretext whatsoever*, to employ these *without intending notwithstanding to do any prejudice to the privilege of the Fees*; or to forbid in case of Hostility, Contagion or Fire, overflowing of Water, or Ruine, or other Lawfull causes to Preach in any Neighbour place, provided it be not a publick place, notwithstanding any Decrees or Judgements made to the contrary.

## ARTICLE II.

Places of Demesme.

*That they of the pretended Reformed Religion aforesaid may not establish any Preachings in the places of their Demesme which are adjudged unto them, under pretence of any Priviledge annexed to Courts of High-Justice contained within their said adjudications.*

THIS is formally contrary to the seventh Article of the Edict of *Nantes*, by which — It is allowed to all Lords, Gentlemen and other persons of the Reformed Pretended Religion, having right of High Justice-Courts, or Tenure of Knights, whether as Proprietors, or as Usufructuaries only, to have the Exercise of Religion in their Houses: These words have respect to those that obtain the Demesme of the King as well as others, for they are general;



ral; they speak of all persons that have power of High Justice without any distinction; and there is as to this point no difference betwixt those that enjoy the right of High Justice by the King's Engagement, and those that possess it as their own proper estate, because the Mortgagee enjoys all the Rights which depend on the Fee of which he is the Possessor, until such time as he is reimbursed. The liberty then of Publick Exercise being one of the Attributes of High Justice, and of the Fee of Knights Service; it is but reason, that the Mortgagee of the Domain, do enjoy it, during his possession. The Edict itself leaves no place to doubt of this. For in the Article we have now alledged, mention is made of those that have High Justice, *Whether as Proprietaries or Usufructuaries*. Now the Possessor of a Demain by Mortgage is an Usufructuary: and by consequent is comprised expressly in the Edict. But the thing will be entirely out of question, if we consider the tenth Article of the Edict, where these words are read—*So that the said establishment be not hindred in such places of Demain as have been given by the said Edict, Articles and Conferences for places of Bailiwicks, or which hereafter shall be, although they have been alienated heretofore, or shall be hereafter by persons of the Catholick Apostolick, Roman Religion*. An exception which shews, that the places of the Demesnes are subjected to the right of Exercise as well as others. And to the end that we might not suppose that it was the intent of the Edict to be restrained to the places of Bayliwicks only; this tenth Article proceeds thus—*However we do not understand, that the said Exercise may be re-established in places and seats of the said Demain, which have been heretofore possessed by them of the said P. R. R. which they did enjoy in consideration of their persons, or because of their Fees, if those Fees be found at present in the possession of persons of the said Catholick Apostolick and Roman Religion*. An exception which doth evidently testify that Fees of Demain engaged follow in this respect the condition of others; which when they are withdrawn out of the hands of those of the P. R. R. the Exercise cannot be any longer continued; for that the privilege was personal, and affixed to the Fee: whence it follows, that according to the Edict, so long as the said Fees are possessed by persons of this Religion, the Exercises thereof ought to be freely made there, as in other Fees of requisite qualification. His Majesty therefore out of the design which he hath to cause the Edict of *Nantes* to be observed, will be pleased to accord to the revocation of this Article; as also in like manner to an evacuation of a Decree made in Council January 11, 1667; in which they of the P. R. R. are not only forbidden to—*Establish any Preaching in the Place of Demain, which shall be adjudged unto them under pretence of Right of High Justice comprised within their Adjudications*: But moreover in it they find another settlement, yet more rigorous, in as much as it import that—*When his Majesty accords to the right of High Justice in any of the Lands of those of the P. R. R. there must be express mention made in the erection of those Rights of High Justice, that the Exercise of their Religion may not be established there under the pretext of that High Justice*. A strange surprize imposed on the King, and we have cause to promise our selves, that his Majesty cannot suffer this rigour, which turns his favour into a punishment, and depriveth them of the P. R. R. of a liberty, which is of the number of those which the Edict hath most formally expressed.

### A R T I C L E III.

#### Places of High Justice.

*That in Places where the Lords of the P. R. R. having the Right of High Justice do exercise the same, there shall be no marks of publick Exercise.*

**T**His Article is incompatible with the thirty fourth of the Particulars of *Nantes*, which expresseth—*That in all places where the Exercise of the said Religion shall be publick, the people may be assembled, and that also by the sound of a Bell, and do all the Acts and Functions that appertain as well to the Exercise of their Religion, as the Regulation of their Discipline, as to hold Consistories, Colloquies and Synods Provincial and National by the permission of his Majesty*. This settlement is formal; for it speaks generally, and without exception of all places where the Exercise is publick. Therefore it intends the places of High Justice as well as other places accorded by the Edict, since by the seventh Article of the Generals, the right of Exercise

cise is attributed to the Places of High-Justice, and to the Fees of Knight-service, in which the Lords and Gentlemen, Possessors thereof may cause Sermons to be made, *as well for themselves, their Families and Subjects, as for others that will resort thither*, which thing makes the Exercise publick. Further, this thirty fourth Article of the Particulars permits in all places where the Exercise of the P. R. R. is publick; *to assemble the people by the sound of the Bell*; which Bell for assembling the people, supposeth a power to have a Bell-House, and the Bell-House supposeth a Temple: So that according to the intention of the Edict, Temples may be had in the places of High Justice. And here we may perceive also by the settlement of this 34th. Article, that it is permitted in all places where the publick Exercise is Celebrated, to hold Synods not only Provincial, but National also. By consequent all places of this nature, of the number of which are those of the High Justice, may have the marks of a publick Exercise. For how can a Provincial or a National Synod be held in a place, where there is neither Chair to Preach nor Bench to sit? Is it credible that the Edict did command that there should be a place where the Deputies from the whole Kingdom should have liberty to Assemble in a Synod without giving power to their Ministers notwithstanding to ascend the Pulpit, to make there the Sermons necessary to such Solemn Assemblies? Being therefore this Article cannot be made to agree unto the Edict, his Majesty is most humbly besought to revoke it, as also those Decrees, which the Clergy have obtained by surprize, for authorising so ill founded a pretention. And this thing appears yet more strange, because the places wherein the pretended Reformed Religion is exercised have nothing at all in outward shew, which might move Jealousie to any person: for they are places altogether simple and plain, without Pomp, without Imbellishments, and without Ornaments. There is nothing but a Chair, and Seats without curiosity, and being they have nothing but what is absolutely necessary, those places cannot reasonably be deprived thereof whereunto the Edict gives right of publick Exercise.

## ARTICLE IV.

### Consolation of Prisoners.

*That the Ministers may not comfort the Prisoners in the Goals, but with a low voice, in a Chamber apart; and assisted only with one or two Persons.*

HERE may be seen also a manifest contrariety to the fourth Article of the particulars of *Names*, where it is said,—*As to them who shall be condemned by course of Justice, the said Ministers may likewise visit, and comfort them, without making publick Prayers, except only in places where the said publick Exercise is permitted unto them by the Edict.* This Article permits in the places authorised by the Edict, publick Prayers to be made, that is to say, in a publick place, at the very place of Punishment, before all the great Concourse of People assembled there: and the Declaration on the contrary forbids without distinction of places, prayers to be made with a loud voice, and even in private also, in the Chambers of the Prisons, with the Doors shut. Are not these two settlements opposite, which destroy one the other? It seems likewise, that the Declaration contradicts it self. For if the Ministers be obliged to comfort prisoners in a Chamber apart, wherefore are they commanded to speak with a low voice? Since one hath free liberty to speak in a Chamber distinct from others: or if it be their will that they should speak with a low voice, why do they oblige them to a Chamber apart? since a low voice needs not a distinct place. And besides, what stream of Processes will there issue from this obligation to speak with a low voice? for they will without intermission make trouble to the Ministers for the tone of his voice? They will pretend, that he hath not spoken low enough, and it will be in a manner impossible to find the just mean betwixt a voice too low, which the Prisoner cannot hear, and by which he cannot be comforted; and a voice a little too high, which may be understood by others. It will be therefore necessary at the least to regulate this, so that it may be understood of a low voice, that it is to be spoken in such a sense as it is used in the case of the noise of those that work on a Festival Day, that it be such a voice as cannot be heard in the Street, nor of the Neighbours. It is also hard to conceive how the Ministers can observe that Clause which speaks of a Chamber apart; for shall it be in their power to bring the Prisoners  
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into a Chamber apart : If the question were only of them that are condemned to death, the matter would be easie ; for they do ordinarily put them in a place apart, after their condemnation : But the Article of the Declaration speaks of all Prisoners without distinction. And shall the Minister have authority to cause to lead, or carry into a Chamber apart a sick Prisoner, whom they find in the same place with many others? and if the Jaylor will not suffer it, then what means shall the Ministers have to cause him to obey them. And it may so fall out, that an unfortunate person detained in Prison for his Debts, or for any other cause, may die there without consolation, or exhortation to repentance, for that he cannot be in a Chamber apart. This Article being then impossible to be executed, and tending to leave poor Prisoners to die miserably, without being assisted in their Consciences : his Majesty is most humbly besought to cause this Article to be put out, and to be content in the affair of Prisoners, with the regulation contained in the fourth Article of the particulars of *Nantes*.

## A R T I C L E V.

To speak of the Catholick Religion with all respect.

*That the Ministers shall not in their Sermons and elsewhere, use any injurious or offensive terms against the Catholick Religion, or the State, but on the contrary shall carry themselves with that moderation which is ordained by the Edicts, and speak of the Catholick Religion with all respect.*

THEY of the P. R. R. cannot behold without sensible grief, that their Ministers are forbidden to use injurious terms against the Estate. For this Prohibition seems to presuppose, that they either have been guilty of this Crime, or that they have some propensity to commit it. And notwithstanding there is nothing that they abhor more, and of which they are more incapable. The love of the Estate, and zeal of their Religion are inseparable in their hearts and mouths. They never express themselves neither in their Sermons, nor in their Discourses, but as good French and faithful Subjects, and they never ascend their Pulpits, but they pray to God for the Sacred Person of the King, for all the Royal Family, and for the prosperity of his Estate. As for what belongs to the Catholick Religion, they always speak thereof with the moderation ordained by the Edicts. But to make a Law which commands them *to speak with all respect*, is to expose them to the uttermost misery : and they can never allure themselves any longer neither of their Goods, nor of their Liberty, nor of their Lives, if this Ordinance continue ; for whatsoever moderation they use in their Sermons, whatsoever pains they take to chuse their terms, when they are obliged to touch matters of controverſie, there will be found, notwithstanding, persons who will pretend that they have not *spoken with all respect* ; so will it come to pass, that they shall see themselves every hour overwhelmed with Fines, imprisoned, and condemned to many kinds of punishments. This is the reason wherefore his Majesty is instantly besought to give remedy to this mischief, by expunging this Article which renders it inevitable, and to be satisfied with that regulation which is found in the Edict of *Nantes*, where in its seventeenth Article it forbids all Preachers, Lecturers and others who speak in publick, to use any Speeches, Discourses or Propositions illuding to stir up the people to Sedition, with a strict command to demean themselves modestly, and to speak nothing which may not be for the instruction and comfort of their Hearers, and for maintaining the tranquillity and repose of the Realm. A Prohibition which of good right was made general and common to all sorts of Preachers, as well of the one Religion, as of the other, notwithstanding that indeed the Ministers have less need of this injunction, in this matter, than the Preachers of the Catholick Apostolick and Roman Religion, amongst whom it is easie to find, that they give themselves liberties apt to trouble the publick peace of all,



## A R T. VI.

## Acts of Notaries.

*That Notaries who receive the Testaments and other Acts of the P. R. R. shall not speak of them of the said Religion in other terms than such as the Edicts permit.*

They of the P. R. R. find not any thing of their concern in this Article, and cannot divine upon what consideration the Ecclesiasticks have caused it to be put in this Declaration; unless it be, that they well fore-seeing that Justice would infallibly prevail with his Majesty to reform a piece wherein they had surpris'd his Royal Goodness in so many ways; they have expressly for that end caused Articles unprofitable, and to no purpose to be foisted therein, to the end, that when this Work comes to be examined, they may have therein certain matters which they might remit; to give pretence that afterwards the Declaration should be very moderate, and could no more give cause of complaint to any person. But our Monarch hath an understanding too much enlightned not to discover this Artifice: and when this sixth Article of this Declaration, and divers others of like nature which may be found therein, are outed; they of the P. R. R. cannot esteem their condition any thing the better, nor more supportable, if the other points which ruine their Liberties be maintained; their subsistence being nevertheless in this Kingdom impossible. This is the cause wherefore his Majesty is besought to keep this in mind, to the end, that this Observation may be applied to many other Articles insignificant, or of small consequence, with which this Declaration is swoln apparently for some design worthy to be observed.

## A R T. VII.

## Books.

*That those of the P. R. R. may not cause any Books to be Printed concerning the P. R. R. which are not attested and certified by approved Ministers, for which they are to be responsible, nor without the permission of the Magistrates, and the consent of our Attourneys, and that the said Books shall not be vended, but in such places where the Exercise of the said Religion is permitted.*

There needs no Law to oblige them of the P. R. R. to observe the former part of this Article, which Wills, that their Books may not be Printed without the Attestation of approved Ministers; for this is an order which is observed inviolably amongst them, and which is established by their own Synods. But as for the second part which forbids them to cause any Books to be Printed concerning their Religion, without the permission of the Magistrates, and the consent of the King's Attourneys, is a rigour altogether opposite to the Edict of *Names*; for thus it speaks in the one and twentieth Article, *Let not the Books which concern the P. R. R. be Printed, or sold publicly, except in the Towns and places where the publick Exercise of that Religion is permitted: and for other Books which are printed in other Towns; let them be viewed and revised, as well by the King's Officers, as Divines, according to the true intent of the Ordinances.* Where may be observed an expresse distinction of Books of the P. R. R. some Printed in the Towns where the publick Exercise of the P. R. R. is permitted, and others which are Printed in places where this Exercise is not permitted. As for those this Edict wills, that they be viewed and visited by the King's Officers; which indeed is but reasonable, being there the P. R. R. is not openly and publicly professed. But of the other, the Edict speaks in a far different manner, permitting to Print them, and sell them publicly in the Towns and Places where the P. R. R. is professed, without submitting them to

the visitation or permission of the Kings Officers, which is required in the other case. Now therefore the Declaration forbids what the Edict of *Nantes* permits in expresse terms. And this is a matter very considerable, and whereof they of the pretended reformed Religion have just cause to complain, in that this new Declaration is more rigorous in this point than the Edict of 1576 it self, notwithstanding that it was made during all the heat and animosity of the Civil Wars. For the Edict of 1576. was content to require that the Books of them of the pretended Reformed Religion should be viewed and approved by the Chambers Myparties, of which one half was alwaies found to profess the said Religion. In place whereof this new Declaration subjects them of the said pretended Reformed Religion to obtain a permission from the Magistrates and consent from the Kings Attorneys who are all of a contrary Religion. This is to make it impossible, for the Kings Attorneys who will never give their consent to the impression of Books which treat of another Religion than their own; and to permit them to Print with this condition, is to forbid them absolutely against the clear and expresse intent of the Edict of *Nantes*. This then is a meer surprize of the Clergy, who have passionately longed and aspired to have such an Article as this to be made, as may appear by their Memoirs which were published 1661. For their desire is there found expressed thus, *It is requisite, say they, to have a Decree containing a Prohibition to print any Books which have not been formerly viewed and approved by the Kings Officers, which also testifies that before this time, no Decree had forbidden this, and that it was formerly unknown.* And surely it is a matter of admiration that the Ecclesiasticks desired to obtain this prohibition, for it is not for the advantage of the Catholick Roman Religion. It will seem that they are afraid of the Books which they oppose and mistrust they cannot answer them. They therefore of the pretended Reformed Religion hope that his Majesty according to their most humble supplication which they make unto him, will revoke this Article concerning the Books of their Religion, and vacate all the Decrees by which he hath been surprized in this matter.

## ARTICLE VIII.

The quality of Pastors, and Prohibition to speak of the Church with irreverence of holy things.

*That the said Ministers shall not take on them the quality of Pastors of the Church, but only that of Ministers of the pretended Reformed Religion; as also that they shall not speak irreverently of holy things, and of the Ceremonies of the Church, and shall not call the Catholicks by any other name than that of Catholicks.*

**V**WE cannot admire enough that they have caused to be entred in a Declaration Royal and of Consequence a Prohibition of the name Pastor. For this term hath nothing considerable in it; nor any thing that makes for the honour of those who bear it. It is common both to good and bad Pastors, and the Holy Scripture doth often cry out against false Pastors that abuse and corrupt the People. They make no difficulty to give to the pretended Reformed Churches the name of a Flock; by what reason then do they refuse their Ministers the name of Pastors which is relative thereto, since a Pastor is he that feeds the Flock? so that no more exception is to be taken against the quality of a Pastor than is against the appellation of a Minister, since it doth barely set out their duty without determining whether they discharge it well or ill. And this Language cannot be blamed, being warranted by the example and authority of his Majesty himself. For when he did them the honour to write to their national Synod at London the 30th of November, 1659. The superscription of his Letter was in these Terms, *To our dear and well-beloved the Pastors and Elders, the Deputies in the Assembly of the National Synod of our Subjects professing the pretended Reformed Religion at London.*

The residue of this Article of the Declaration is of the same nature with the fifth Article; and if there be any difference, it is in this, that this aggravates the other and goes above it. It is an endless source and everlasting Seed of all sorts of Mischiefe to the

the Ministers, who notwithstanding all the most accurate pre-caution, and the most wise and modest continence, will be continually halled before the Tribunals, cast into Prisons, ruinated in their Goods, and overwhelmed in their very Persons; because there will be alwayes found some ill-minded people who will accuse them for having spoken irreverently of the holy things, and Ceremonies of the Catholick Apostolick Roman Church. To the end therefore that they may enjoy in this Realm the liberty which was granted to them by the Edict, his Majesty is most ardently besought that he would cause these two Articles, the fifth and the eighth to be excluded, as which draw innumerable Calamities on those Persons whom he hath been pleased to declare that he will take into his Royal Protection.

Neither is it only the concern of the Ministers security that causes them to demand the revocation of these Articles, but the repose and subsistence of all those persons in general who are of the pretended Reformed Religion. For a method hath been taken up of late which doth sufficiently make known how much a Prohibition to speak of holy things and the Ceremonies of the Church may hurt them. That is, that the Parish Priests when they please publish their Censures and Monitions against any Person of the pretended Reformed Religion obliging all their Parishioners in general to depose if they have heard any thing spoken by him against the Catholick Apostolick Roman Religion, which makes way for them to rip up all a mans life from his very infancy; and if it have hapned that he have spoken of any Controversie they impute it unto him to have uttered some Blasphemies against the Mysteries and Ceremonies of the Church. And sometime Witnesses are found who by false reports bring the Honour and Life of men in hazard; and we have already seen persons unrepachable whose innocence could not secure them from such Calumnious Accusations, and who have been condemned to death for words maliciously contrived with design to destroy them; your Majesty is therefore humbly prayed to hinder this so great a mischief, not only by removing this Article which will serve for pretext to evil disposed Spirits; but also by ordaining just and reasonable penalties against the accusers and the Witnesses, who in such contests shall be convinced of falshood and fall short of proving their accusations; and above all forbidding those minatories, and those wandering uncertain and undetermined Informations which smell of the Inquisition, and are capable of troubling all the whole Realm.

## ARTICLE IX.

### Robes and Cassocks of Ministers.

*That the Ministers may not wear Gowns or Cassocks, nor appear in the long Robe elsewhere than within their Temples.*

THE liberty of habit is so great in *France*, that it were to strip the Ministers of the quality of French-men, to bring the form of their Garments into Controversie. If Cassocks or long Robes were in such manner peculiar to Church-Men, that it might pass for an infallible mark of their Character and Order; it might be that they might have some reason to dispute them with those whom they will not acknowledge for Ecclesiasticks. But the Cassock and the Gown are worn of many persons that are not of the Orders of the Church. Judges, Counsellors, Attorneys themselves, Records, Ushers, Physicians, Regents of Schools or Colledges have this privilege without contestation. And the quality of Doctors, Licentiates, or Masters of Arts, in which Ministers may be invested as well as others, and are in a manner, is that which properly giveth right of wearing the Cassock and long Robe. It cannot therefore be imagined for what reason they ought to be forbidden unto Ministers; and when the Ecclesiasticks required this Prohibition and obtained it by a Decree of the Counsel gotten by surprize the 30th of *June* 1664. to serve for a foundation of this Article of the Declaration, it was merely the effect of their dissatisfaction to the Ministers and only upon design to blast them. But the Ministers who are born Subjects of the King, hope to find his Justice in the defence of their Honour as well as of their Persons.

## ARTICLE X.



## ARTICLE X.

## Registers of Baptisms and Marriages.

*That the said Ministers shall keepe Registers of the Baptisms and Marriages which are made by those of the pretended Reformed Religion, and shall produce from three Months to three Months an Extract thereof to the Registers of the Bailiwick and Constableries of their Precincts.*

THIS Article is altogether useles, in regard that the new Ordinance which is now observed through the whole Realm, hath sufficiently provided for the Recording of Baptisms and Marriages.

## ARTICLE XI.

## Celebration of Marriages.

*That they may not make any Mariages betwixt Persons that are Catholicks and those of the pretended Reformed Religion whereon any opposition is made, untill such time as such opposition have been removed by the Judges to whom the Cognizance thereof doth appertain.*

THIS settlement is also to be numbred amongst the fruitless, and there is no need of an Ordinance to inforce this duty upon the Ministers. For they do never bestow the Nuptial blessing on Marriages contracted betwixt persons of divers Religions, unless it be by vertue of some Decree or Judgement of the Magistrates. Their own Ecclesiastick Discipline forbids them to do otherwise; and when there is opposition the cognizance whereof belongs unto the Judges, they never proceed till they be determined.

## ART. XII.

## Consistories.

*That those of the pretended Reformed Religion may not receive into the Assemblies of their Consistories others than those whom they call Elders with their Ministers.*

THE Consistories of those of the pretended Reformed Religion are composed, not only of Ministers and Elders; but also of Deacons who have the particular care of Feeding, Cloathing, and Harboursing the Poor. The Discipline of the pretended Reformed Churches makes expresse mention of these three sorts of Persons, regulates their Charges, their Employments and their Functions, Being therefore the Edict of *Nantes* in the thirty fourth Article of the particulars doth authorize the exercise of this Discipline, and that even the thirty fifth Article doth formally name the Deacons as being part of the Consistories; it is not credible that the Kings intention was to exclude the Deacons from thence. But as it is usual to draw advantage of every thing against them of the pretended Reformed Religion, if the word Elders be left alone in this Article of the Declaration; occasion undoubtedly will be taken thereby to hinder the Deacons from entring into their Consistories, contrary to the order of their Discipline and the intent

intent of the Edict. Wherefore it is necessary to add unto this Article the term Deacons which is there omitted. Besides this illustration there are three other particulars also, no less necessary to make this Article accord with the Discipline of the pretended Reformed Churches, and with the Edict of *Nantes* which doth authorize it. For their Discipline, which is the rule of their conduct in their Ecclesiastical Politic Wills, that when they are about the calling of a Minister all the Heads of the Families of one Flock should be assembled to give their voice; as being all concerned in the Establishment of a person who is appointed for their service: So that if they of the said Religion may receive none into their Assemblies but Ministers, Elders, and Deacons, they cannot call any Ministers to the service of their Churches when they have need; which cannot be the Kings intention.

Besides the Edict of *Nantes* in the forty third Article of the Particulars, permits those of the pretended Reformed Religion to assemble, to make impositions of Monies which are necessary for the Charges of their Synods and entertainment of their Ministers, which notwithstanding they cannot do, if this Article of the Declaration be continued as it is, and if they cannot receive into the Assemblies of their Consistories other persons than their Elders and Deacons.

And it may also come to pass that there may be found troublesome Spirits who will contend that they may not call offenders and scandalous persons into their Consistories, to censure them according to their merit and to reduce them to their duty. For the avoiding therefore all ambiguity, and that there may not be left any advantage for contentious Spirits to trouble those of the pretended Reformed Religion without cause; This present Article had need to be explicated, in such sort that his Majesty thereby doe declare, that he intends not at all to deprive those of the said Religion of the liberty of calling into their Consistories those whom they shall think fit to cause to come thither because of scandal; nor to assemble the Heads of Families for the calling of their Ministers; nor to hold Assemblies permitted by the Edict for imposition of Monies for the entertainment of their Ministers, and charges of their Synods.

## A R T. XIII.

### Donations and Legacies.

*That the Elders of the Consistories may not be appointed Inheritours nor Legatees Universal in their said quality.*

**T**He forty second Article of the Edict of *Nantes* is Repealed by this. For it contains that the Donations or Legacies made or to be made, whether it be by last Will in the case of Death, or made by the Living, for the entertainment of their Ministers, Doctors, Scholars, or for the Poor of the pretended Reformed Religion or other matters of Piety, should be valid, and obtain their full and intire effect, notwithstanding all Judgements, Decrees, or other things to the contrary thereof whatsoever. This settlement is general and absolute; and it distinguisheth not betwixt the Universal and particular Donations. And by consequent it respects the one as well as the other. For there where the Law distinguisheth not, men are not to distinguish. Also the King *Lewis* the Just, your Majesties Father, finding this Law to be indisputable, confirmed it solemnly in 1616. by his Royal answer to the Paper of those of the pretended Reformed Religion in these terms. *The Forty Second of the private Articles made at Nantes concerning Donations and Testamentary Legacies let it be observed in favour of the poor of the pretended Reformed Religion notwithstanding any Judgements to the contrary.* And all the Decrees of the Counsell and Parliaments have been alwayes conformable to this Law: This change is therefore surprising and a notable breach of the Edict.

At the least we cannot doubt that the Kings Justice will make him find two things reasonable and necessary, to which his Majesty is most humbly besought to have regard. The one is that being no Ordinances have any power retroactive, nor touch any thing that is past; he would be pleased to ordain in the explication of this Article of the Declaration that it may not prejudice those Donations or Legacies Universal which were formerly made to the Consistories.

The other that it is not the intention of his Majesty to hinder particular Donations which may be given to Consistories. It is very certain, that the King's design is not to forbid them. For being that in this Article he forbids only Donations universal, it follows necessarily that he confirms the particular. In the mean time they begin by an excessive transport to dispute the particular Gifts and Legacies; and Parliaments have lately made some rigorous Decrees, against which, those of the said Religion demand Justice of his Majesty, at whose Feet they seek their only Refuge; beseeching him to authorise the particular Donations which have been, or shall hereafter be made unto the Consistories, conformable to the forty second Article of the particular of *Nantes*, notwithstanding all Decrees and Judgments to the contrary.

#### A R T. X I V.

##### Preaching and Residence of Ministers in divers Places.

*That those of the said P. R. R. assembled in their Synod National or Provincial, permit not their Ministers to Preach, or reside in divers places by turns, but on the contrary do enjoyn them to reside and preach only in one place which is given them by the said Synods.*

**T**HIS Article contains two parts, the one regarding the Preaching, and the other the Residing of Ministers in more than one place. As for the Preaching by course in divers places, it is true, that there have been many Decrees *pro* and *con* about this matter; so that indeed the business being at this day as it were suspended, amongst many Decrees contrary to one another; it belongs now unto his Majesty to determine of them by his Sovereign Authority. And his Justice gives them of the P. R. R. to hope that he will maintain them in the liberty of their Annexes, taking away the prohibitions which have been made against their Preaching in divers places. That which gives them this hope, is this, that these prohibitions have been founded on no other thing than a Misinformation. For they never had any other Foundation than from the Edict of the Month of *January* one thousand five hundred and sixty one, by which it was forbidden Ministers to walk from place to place, and from Village to Village to preach there by violence and without right. But it doth not treat at all of this business of Annexes. For it is agreed, that Ministers ought not to be Vagabonds, and wander from place to place of their own fancy. Their Discipline it self doth forbid this; and the Maxims of a good Conscience, as well as those of good Polity do oppose it. Therefore the Edict of *January* is in this point altogether just. But the Annexes suffer not the Ministers to be Vagabonds; but on the contrary fix and settle them with certain flocks. They do not give them liberty to go and preach in places where the Exercise is not permitted; but on the contrary fix them in places where they have right to exercise according to the Edict. What is it then that should hinder the Ministers that they may not preach in two or three places of this nature? What pretence can the Ecclesiasticks find to give a colour to their Enterprize?

Will they alledge the Edict? But that forbids not to preach in divers places, when they have a right to exercise. Besides, there is found a Decree made in the Council in the Month of *May* 1652, by which the King doth formally declare, that all the Decrees which have outed the Ministers of this liberty, are contrary to the Edicts. So that the intent of his Majesty's being to cause the Edict of *Nantes*, to be exactly observed, there is ground to believe, that he will leave unto the Ministers this liberty, the prohibition whereof he hath himself declared to be contrary to the Edicts.

Will they alledge the Declaration given at *S. Germain* the nineteenth of *December* 1634, which they will pretend to be so much the more available, for that it was verified in the Chamber of the Edicts of *Castres* the first of *January*, 1635? But this Declaration was founded upon this, that the Ministers of *Languedoc* went to preach in divers places of that Province, where that Exercise was not allowed them. These are the proper words which are read in that Declaration, which by consequence concerns not the Annexes where they have right to exercise.

Will they alledge Reason? But what reason is there to hinder a Minister to preach in many places, when one is not of sufficient ability, nor furnished with Fruits of the Earth to entertain him? Can the Estate or the Publick suffer any prejudice thereby?

Do



Do we not see, that when Cures are too weak every one to maintain a Curate alone, they put two together under one Rector? That which is approved amongst Parish Priests, how comes it to be criminal amongst Ministers, when the poverty of the Flock permits them not to have one person whole and entire unto themselves? Besides this poverty of these small P. R. C. is come from no other cause, than that the pension of a hundred and thirty five thousand Livers agreed unto by Henry the Great, for the entertainment of their Ministers, hath for some time ceased to be paid. For if they had continued to be paid, every Flock might have had its own Minister without annexing any. It is not therefore probable, that at the same time when the King withdraws his liberality, that he will hinder the feeble Flocks in the Country to find out some other means to conserve unto themselves, at least, a part of the Ministry, by joyning themselves to some other Neighbour's Flock, which may help its Subistence.

\* Do they alledge the Usage? That is all contrary to the Pretence of the Clergy, for unto this very day it hath been always seen in all the Provinces of the Realm, that the small P. R. Churches have united themselves two or three together for to raise a Pension for one and the same Minister.

Finally, do they alledge the Interest of the Ecclesiasticks? Besides, that they ought not to be heard in this sort of Affairs, because they are the principal parties, against whom the complaint is made, it seems also that it would be for their interest to diminish the number of the Ministers, instead whereof, if they hinder them from Preaching in many places, they will oblige them in every P. R. Church, to use their uttermost endeavour to have a Minister apart, which will much augment their number. For there is no person who will not resolve rather to sacrifice his temporal commodities, than continue deprived of spiritual food, which he supposes needful for his Salvation. So that all the Pursuit of the Clergy in this affair will effect nothing but only to incommode them of the P. R. R. in their Estates, and thereby render them less able to contribute to the necessity of the publick.

These considerations are they which give hope that his Majesty taking particular cognizance of this Affair will leave them of the P. R. R. in the liberty of their Annexes; and that in expounding the present Article of the Declaration, he will have the goodness to say that in forbidding the Ministers from preaching in divers places, he intends not to hinder them from preaching, save only in those places where they had not right to exercise, according to the Decrees of the Council of the twenty sixth of Sept. 1633, and of June 1635, and May 1652.

As for the Residence of the Ministers, the Edict doth not only authorise it in every Town, and every place of the Realm indifferently in the sixth Article of the Generals, and first of the Particulars: but moreover hath interpreted himself by a Decree made in Council, April 24, 1665, by which it is permitted to Ministers to make their Residence with their Families in such Cities, Burroughs, and Villages near the place of their settlement as they shall choose. And without doubt the King intends no otherwise here. But notwithstanding because this Article of his last Declaration may receive another interpretation, his Majesty will be pleased of his goodness to remove all ambiguity which may be found therein, declaring with reference to the Residence of the Ministers, that his intention is agreeable to his Decree of 24th of April, 1665.

## ARTICLE XV.

### The Churches of Feodary Estates.

*As also that they of the P. R. R. who assist at their Synods, shall not enter in the Tables of their Churches, the places where the publick exercise of their Religion is forbid, nor those wherein it is permitted only by the privilege of the Lord and in his Castle.*

Since the Churches of Feodary Estates are established by the Edict as well as those of possession or of Bayliwicks; they ought to be comprized in the Tables of the Synods as well as others. And they have at all times used this order from the beginning; and there is no cause to change an usage so constant and innocent. All that they can require

require of those of the P. R. R. is that in the Tables of their Synods they distinguish their Churches, and express which are of Feodary Estates, which of Possession, and which of Bailiwicks whereto they shall yield obedience if it be judged necessary. But to require absolutely that they should not put into the Tables of the Synods the Churches Feodary Estates, were to make the Ministers of those places so far Independents, that they should neither have superiour nor Discipline, nor be restrained by any other curb, so that they might live after their own fantasie to the prejudice of the Estate it self. For the Tables of the Synods are nothing else but the appearances of the Ministers in their Assemblies, where every one of them is set down by his name, and that of the Church he serveth. Being therefore it is necessary that the Ministers appear in their Synods according to their Discipline which straitly enjoynes them to be there; so it is necessary that the Churches of Feodary Estates should be entred in the Tables of those Societies.

## ARTICLE XVI.

### Correspondence betwixt the Provinces.

*As also in like manner, that they of the pretended Reformed Religion may not entertain any correspondence with them of other Provinces, nor write unto them under pretext of Charity or other affair whatsoever, nor receive appeals from other Synods, save only to remit them to the National Synod.*

THE Artifice of the Clergy have fitted this Article expressly to render the inviolable fidelity of those of the P. R. R. suspected, of which they have given so essential proofs to the King, that this great Prince hath been pleased to testify by publick marks how well he is satisfied therein. For in his Declaration May 21, 1652. he useth these terms, *And for as much as our said Subjects of the P. R. R. have given us certain proof of their Affection and Fidelity in these present occasions, wherewith we rest very well satisfied.* And his Majesty may be pleased to remember that in a certain Letter which he wrote in the Year 1655. and which is found in a publick Book whose impression is dispersed into the hands of all the World, he makes use of these words which are a perpetual commendation to them of the P. R. R. *I have cause to praise their Fidelity and zeal for my Service, they on their part not omitting any occasion to give me proof thereof, and also beyond all that can be imagined, contributing in every thing to the behoof and advantage of my Affairs.* These good Testimonies which his Majesty hath given them in so authentick manner, will incline him to reject this Article which tends to the dishonour of their fidelity; as if they were a people capable to betray the Estate, and to carry on by their correspondencies with the Provinces, Criminal Caballs against the Service of their Sovereign, whose prosperity is more dear unto them than their very lives.

Since the King is pleased to permit them to live and to profess their Religion in the Realm, necessity requires that they be permitted to write and correspond with the Provinces for their Ecclesiastick affairs, as well as their secular: for without this neither can their Universities subsist any longer, who have no other maintenance but by the relief of the Provinces, neither can they demand nor receive the payment of the Sallaries of their Professors and of their Regents: And when they want a Professor they cannot provide if they be deprived of the liberty of searching out, and sending for them by Letters, the only means to be employed in such exigencies.

It is also evident that this Article of this Declaration contradicts it self. For in forbidding to receive appeals from other Synods, save only to transmit them to the National Synods, they authorize National Synods, and approve the Convoking of them. But how can they be Convocate if the Provinces may not correspond one with another, and it be not permitted unto them to write; Being the Convocation of National Synods is not nor cannot be made without Letters sent into the Provinces, as well to advertize them of the time as of the place where they are held, as to authorize the Deputies which ought to be present in those Assemblies.

Finally this Article gives occasion to them of the P. R. R. to beseech his Majesty to consent unto their National Synods in the term of their Discipline, which requires that these

these general Assemblies may be held from three years to three years. For during the long interval of time which intervenes betwixt the National Synods, to hinder appeals unto other Synods, were to open a gate to infinite helpless unredressable inconveniences. This were to forego the means of removing Scandals, extinguish Vices, and to oppose the abuses of the Discipline, and corruption of manners. This would bring in disorders whose course and progress all good men ought to desire to obviate, stop, and prevent. So that this Article being of very dangerous consequence in every part of it, they of the P. R. R. do fervently beseech his Majesty to revoke the whole, as being inconsistent with the liberty which is given them by the Edicts, and also ruining their Discipline which permits appeals from other Synods in the tenth Article of the eighth Chapter.

## ARTICLE XVII.

### Colloquies.

*The same prohibitions are made to the Ministers, Elders, and others of the P. R. R. to assemble any Colloquies, except at such times as the Synod is Assembled by the permission of his Majesty, and in the presence of his deputed Commissioner.*

**T**He Establishment of this Article doth not only stifle the Edict of *Nantes*, but blows it up all at once. For the Edict authorizes the Colloquies in such a manner as permits not to contest their establishment. This is in the thirty fourth Article of the Particulars which hath been already rehearsed on another occasion, *That in all places where the exercise of the said Religion shall be publick, the People may be assembled, and that also by the sound of a Bell, and do all the Acts and Functions that appertain as well to the exercise of their Religion, as the regulation of their Discipline, as to hold Consistories, Colloquies, and Synods Provincial, and National by the Permission of his Majesty.*

It cannot be imagined that they can elude these so authentick words, and say that the Declaration doth permit our Colloquies only during the session of the Synods, and that the Edict goes no farther. For the contrary doth appear manifestly; and they must first make them of the P. R. R. renounce all common sense, before they can perswade them a thing so evidently irreconcilable to the intent, disposition, drift and settlement of the Edict, which distinguishes the Colloquies from the Synods, as different Assemblies, and which may be held at divers times. If the Edict would only authorize Colloquies during the sitting of the Synods; they may maintain by the same reason that they are not permitted to hold Consistories but in the Synods, nor Provincial Synods but in the National. The Article of the Edict being not more expresse for the Consistories than for the Colloquies, and not expressing the one in any other manner than the other, wherefore like as the one is intirely unsustainable, and cannot fall into the thoughts of any person, so the other is no less to be rejected.

Besides, ever since the Edict the P. R. Churches have alwayes without Impeachment enjoyed this liberty of their Colloquies, and the answers made unto their Papers at divers times by the King's Majesties Predecessors, have maintained them in this usage, which by this means is found to have the Edict for its foundation, and also the possession of threescore and ten Years, which alone is a title more than sufficient. This is the reason wherefore nothing herein can be changed without contradicting his Majesties intention, who declares that he wills that the Edict of *Nantes* be exactly observed.

And certainly the Ecclesiasticks cannot pretend to any thing wherein they will find themselves more destitute of all appearance of reason than in this point, for what pretence can they make to colour the prohibition of the Colloquies? Do they conclude of any thing that may render them odious or suspected? Have they not there a Commissioner for the King as well as in the Synods? The affairs which they handle there are they not purely Ecclesiastick? and the shortness of the time which they imploy therein, which in ordinary extends not beyond a day or two, shews it not that these innocent Societies propose nothing to themselves but readily to expedite some points of their Discipline? Finally, being they permit the Synods, for what reason do they forbid the



Colloquies, which are nothing but small Synods peculiar to one Class, one Bailiwick, or one Stewardship, as the Synods are general Colloquies for the whole Province? What then can be the scope of this condemnation of the Colloquies? Surely it cannot come but from a bare meer design of inconveniencing those of the P. R. R. and hurting their affairs. But this cannot be the design of the Prince, who seeks on the contrary the repose, comfort and commodity of his Subjects, as the Preface of this Declaration it self doth testify. This is only the intent of the Ecclesiasticks, who hate them of the said Religion and seek all possible means to cross them and to render their condition miserable. For to exclude them from the Colloquies, would be a means to cast them into inexpressible inconveniencies, for that the Synods not sitting but from year to year, and in some Provinces from two years to two years, they cannot without Colloquies held in the meanwhile intervals, remedy those previfory and pressing affairs which will be now worse by delay, and which for the most part require to be handled in those very places where they happen, about which they easily assemble the Colloquies, because they are composed of few persons and they not far distant, which cannot be said of the Synods. Without these little Societies which assemble easily, they must suffer Vice and Scandals to take their course without providing against them. Their Flocks must remain whole years and sometimes longer without Ministers, when death deprives them of those that did serve them. In one word, so it might come to pass that they of the P. R. R. might have a whole year without Discipline. For when persons of bad lives amongst them cannot be reduced to their duty, there are none but the Colloquies that are capable to censure them, and they will enjoy license and impunity in their sins during a whole year, if the Colloquies be abolished, or remitted to the times of the Synods only. For this is more truly to abolish them than remit them in this manner, for the Colloquies have nothing to do when once the Synods are assembled, for then all their affairs may be decided in the Synods.

And this is also to require an impossibility to oblige them of the P. R. R. to hold their Colloquies during their Synods, and that in the presence of the deputed Commissioner. For there are Provinces that contain seven or eight Colloquies. What means then can there be to send the Commissioners to eight places at one time? Or if they will that it be done successively, how tedious must those Synods henceforth be, for regulating as well the general affairs of the Province as the particulars of all the several Classes? And where shall they find Commissioners that will have the patience to attend so long time from their houses, and to quit their charges and employments? And will the Governors of the Provinces or Lieutenants of the King suffer the Synods to continue their Assembly for many months?

His Majesty is therefore most instantly besought to revoke this Article, which suppresseth their Colloquies, and to leave matters of this concern to the terms of the Edict and Usage, notwithstanding all Decrees and Judgements that have been made to the contrary.

## A R T. XVIII.

### Assemblies, Commissions, Deliberations and Letters in the Interval of Synods.

*Neither to make any Assemblies in the intervals of the said Synods, wherein during the said interval they may receive any Candidates, give Commissions, or deliberate of any Affairs by circular Letters, or in any other manner, on any cause whatsoever, on pain of being punished according to our Edicts and Ordinances.*

**I**T was not enough for the Clergy to assault our Colloquies. They were afraid that for want of these ordinary meetings we should attempt a supply by Assemblies extraordinary, or by Letters-missives or by some other means. Wherefore to the end that they might make it impossible for them of the pretended Reformed Religion to exercise their Discipline, which is so formally authorized by the Edict, that they might ruine them by Division; the Clergy have proposed to have them forbidden all sorts of Assemblies, Commissions, Deliberations and common Letters for what cause soever,

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on pain of being punished according to the rigour of the Ordinances. This is a grief incapable of any consolation to them of the said Religion to see themselves thus treated. For God be praised, they have done nothing wherefore their zeal to the Kings service ought to be suspected, and their adherence to the good of the Estate is immovable. Their conduct and their actions speak for them in the one and in the other of these two things, and they shall continue all their lives in these sentiments which make one essential part of the Duty of their Consciences. In the mean time if they had a design to betray their Country they could not be tyed and chained more strongly than by forbidding them all sorts of Assemblies, Commissions, Deliberations, and Letters.

Above all this the passion of the Clergy cannot suffer that they should receive Candidates in the Intervals of Synods: This is the effect of an animosity whereof the presence is hard to be imagined. For since we are permitted to have Ministers and since we are not hindred to receive them in the Synods; what reason can the Ecclesiasticks alledge to forbid them to receive Candidates in the Intervals of Synods in which they think good that they should be examined? It is manifest they can render no other reason than their own animosity, which carries them on to desire that they of the pretended Reformed Religion may continue oftentimes unprovided of Ministers. For if a Minister happen to die immediately after the Session of a Synod, it may so fall out that his Church as a Widow shall not only keep a year of mourning, but remain subjected also to two years of Widow-hood, in those Provinces where the Synods assemble not but from two years to two years. And it must needs be, that during all this time, she be deprived of the Word of God Preached, and the Administration of the Sacraments; that the sick die there without Consolation, and Infants without Baptism; This inconvenience being so much more remediless in the terme of the Declaration, because by the fourteenth Article, Ministers are forbidden to Preach in divers places, and by that all means are taken away from a Church that is destitute to have assistance from any neighbour-Minister: So a place that hath right of exercise very certain and well known, shall hereby be incapable of enjoying it notwithstanding.

But this mischief doth not stay here neither. For if this Article of the Declaration stand, we must speak no more of Synods themselves. It will be impossible to call them, or execute their Orders. For how shall they call them if Letters-missives be forbidden? Being this Assembly cannot be called but by circular Letters sent to all the Flocks of a Province, to give them warning to cause their Deputies to appear in the place and time designed for holding those Assemblies? And how shall they execute their Orders and Acts, if Commissions and Letters be forbidden them; for the Resolves of Synods are not executed but by these wayes, or by deputing Commissioners to carry them to the places, Or giving them charge to write letters to the persons concerned, to the end they may be reduced to their duty when the Synods do sit no longer; Or by Authorizing some Ministers to deliberate with their Consistories, and so to conclude those affairs which the shortness of the time permits them not to project and design by the Synods, Nay, it will not be possible to have Ministers if Commissions have no place any more; for Ministers are not installed in their charge, nor invested in their Ministry but by means of Commissioners named in the Synods for laying hands on them, which cannot be done but in the intervals of Synods, because the Discipline of those of the pretended Reformed Religion ordains, that the Candidates who have been examined by the Synods, shall make three Sermons of tryal on three Lords dayes successively before the Church whither they are sent, before they can receive Imposition of Hands and power to administer the Sacraments, from the Commissioners deputed for that purpose.

It must here be added that this Article proceeds yet farther, and leaves them of the pretended Reformed Religion no more any surety for their persons or their lives. For they are forbidden to *deliberate of any affairs for any cause, or in any manner whatsoever on pain of being punished.* So as soon as two or three persons of that Religion be seen together, their enemies will pretend that they are consulting of affairs, and bring Process against them. There will be no Tranquillity for them in the Realm, neither can there be any Society, Conversation or Commerce amongst them without danger. His Majesty is therefore besought with all the Ardour of which his Subjects of the pretended Reformed Religion are capable, that he would take off this Prohibition, and take away an Article so fatal to their repose.

## ARTICLE XIX.

## The Validity of Marriages.

*That the Ministers, Consistories and Synods of the said pretended Reformed Religion, take not on them to judge of the validity of Marriages made and contracted by those of the said pretended Reformed Religion.*

**A**N Article needs not for a thing which they of the pretended Reformed Religion have never designed to undertake. They leave it to the Magistrates to judge of the validity of Marriages, and their Ministers do pretend nothing therein : only their calling obligeth them to reprove and censure the incestuous; and the King without doubt doth not intend to deprive them of this power which is given them by their Discipline, the exercise whereof is authorized by the Edict of *Nantes*.

## ARTICLE XX.

## Those that are sent to Catholick Colledges.

*The like Prohibition is also made to their Consistories and Synods to Censure or otherwise to punish Fathers, Mothers, and Tutors who send their Children or Pupils to the Catholick Colledges or Schools or elsewhere to be instructed by Catholick Masters, notwithstanding that the said Children be not constrained to imbrace their Religion.*

**T**HIS Prohibition cannot stand with the thirty fourth Article of the Particulars of *Nantes*, by which it is permitted to them of the pretended Reformed Religion to exercise all Acts and Functions that belong to the regulation of their Discipline. And it may be seen in this Discipline the fourteenth Chapter and fourteenth Article, that it is forbidden to Fathers and Mothers of that Religion, to send their Children to the Colledges and Schools of those of the Catholick Apostolick and Roman Religion. This is therefore a manifest repeal of the Edict to take from the Consistories and Synods the power of censuring Fathers and Mothers in this case, being that Censure is part of that Discipline the exercise whereof is established by the Edict. This doth not hinder but that when the Regents of Colledges and Masters of Schools are of sufficient discretion and fidelity not to discourse of Religion to Infants, their Fathers, Mothers, and Tutors may send them to their Classes to be there instructed, for this is a daily practice. But if they do attempt to induce them to change their Religion, can the Consistories then be blamed for doing their duty in advertizing Fathers and Mothers to withdraw their Children from a place where they believe their Souls are in danger. This Article then is of the number of those of which the Edict demands the Revocation.

## ARTICLE XXI.

## Bonfires.

*That when Bonfires are to be made by the Order of his Majesty in publick places, and when execution is done upon Criminals of the P. R. R. there Ministers and others of the P. R. R. shall not have power to sing Psalms.*

**T**HE prosperity of the King and of the Estate will alwayes produce sentiments of Joy and Gladness, in the hearts of those of the P. R. R. as becomes the true and faithfull Subjects of his Majesty. They will render thanks unto God publickly in their Temples, and also bless him privately in their houses. That it is to no purpose to forbid



bid them to sing Psalms in publick places on what occasion soever; and the Clergy have made use of this prohibition only to make shew that they attempt things which never came once in their thoughts.

## ARTICLE XXII.

### Burials in Churches or Church-yards.

*That the dead Bodies of those of the said P. R. R. may not be interred in the Church-yards of the Catholics, nor in their Churches, upon pretext that the Tombs of their Ancestors were there, or that they had there any right of Lordship or Patronage.*

**T**His Prohibition is also needless, for that they of the said Religion have never had any thoughts of interring their dead in the Churches, nor in the Church-yards of them of the C. R. R. But this Article that speaks of Patronages, gives occasion to them of the P. R. R. to complain unto his Majesty of the wrong which is done them in all the Provinces of the Realm, by hindering them to enjoy their right of Patronage which was left them by the thirty fourth Article of the generals of the Edict of *Names*, and confirmed by an authentick Decree of the Council of Estate, July 10, 1651. by which his Majesty doth keep and confirm his Subjects of the P. R. R. in the possession and enjoyment of naming capable persons to the Benefices of which they are Patrons, with the charge only of naming Persons that are Catholics, of whom it gives them power to make the said nominations and presentations: which being done the Bishops, Arch-Bishops, and other Ecclesiastical Collators shall be obliged to admit in the ordinary Form such nominations and presentations as shall be so made; His said Majesty Ordaining that this Regulation should be executed from point to point according to the form and tenure thereof, notwithstanding all Judgements to the contrary. If the Clergy have gotten any Decrees since this differing therefrom, they are Decrees gotten by Surprise, and which ought not to be put in ballance with this of 1651 which was granted in *Foro contradictorio* and upon full Cognizance of the Cause. They of the P. R. R. do therefore promise themselves from the Kings Justice, that the consideration of his own Ordinance, joyned with the authority of the Edict, which in the eighty ninth Article willeth, that all Lords, Knights, Gentlemen and others of what quality or condition soever they be of the P. R. R. shall be effectually preserved in the enjoyment of all their Goods, Rights, Nominations, reasons and actions, will cause him to maintain his Subjects of the said Religion in a right which doth appertain so legitimately unto them, and which is annexed to their Fees and Lands which they possess. If there be any small appearance of difficulty in this matter, it is fully removed by the condition prescribed in the Decree of 1651, which orders that the nominations and presentations unto Benefices shall be made by persons of the C. R. R. to whom the Lords of the P. R. R. shall have given their power. This condition was more than sufficient to remove from the most scrupulous what they might find to object against the right of Patronages possessed by them of a different Religion, for as to the capacity and manners of those whom they shall name to Benefices, there is no fear of abuse therein, because that it pertains to the Bishops and Ecclesiasticks to judge thereof, and that it is in their power not to admit any persons in whom they do not find the necessary qualities.

## ARTICLE XXIII.

## Exposing dead Bodies before the Gates.

*That those of the said Religion may not expose their dead bodies before the doors of their Houses, nor make any exhortations or consolations in the Streets upon occasion of their Interrments.*

**T**hey pretend not hereto at all, and this tends only to perswade his Majesty that they of the P. R. R. are an adventurous presumptuous busie people, and which take to themselves Liberties which they are not allowed, to the end they may hinder this great King from having compassion on their Miseries and hearing their groans, which the violence of their grief doth continually draw from them.

## ARTICLE XXIV.

## The Hour and Number requisite for Interrments.

*That the Interrments of the dead Bodies of those of the said pretended Reformed Religion may not be made in those places where the exercise of their Religion is not permitted, but in the morning at the break of the day, and in the evening in the entrance of the night, and that no greater number may be assisting thereunto than ten Persons of the Kindred and Friends of the dead, and that for those places where the publick exercise of the said Religion is permitted, the said Interrments be made from after the Month of April to the end of the Month of September precisely at six of the Clock in the morning, and six of the Clock at night; and they may have for Convoys, if they please, the nearest Kindred of the deceased, and to the number of thirty persons only, their said Kindred being comprised in that number.*

**T**He greatest animosity ceaseth for the most part after the death of the persons who are hated, and those who cannot be born with whilst they are alive, become an object of compassion after they are dead; this notwithstanding the hatred of the Clergy against them of the P. R. R. extends it self also beyond their decease, and they are delirious to trouble them in their Sepultures, of which the said consolation is not denied to the greatest enemies. The Article which the Ecclesiasticks have obtained, as also the Decree which they have gotten by surprize from the Counsel about this sad affair, is capable of engendring endless troubles and Suits. For they will continually molest persons about the hour, namely whether the interment be made after six in the morning, or before six at night: About the number, namely whether the Carriers of the Dead be to be esteemed to make part of them that assist as Convoys; in which case it often falls out, when the number is limited to ten, that the Children cannot perform their last duty to their Father, or else be constrained to carry him themselves to the Grave. They will dispute also whether those that betake themselves to the Church-yard to behold the interment, and those which are found in the street looking on the Bier as it passeth, are not to be considered as exceeding the number permitted; and they will find many other means to disquiet them of the P. R. R. on these occasions, which are sufficiently dolorous of themselves. By which means we shall daily find some poor families who in the midst of the tears they shed, and sorrows which overwhelm them because of the loss of their dead, will see themselves also against all sense of humanity, committed into the hands of Judges who will condemn them, and of Serjeants who will execute their Sentences upon them with all rigour. The Edict of *Nantes*, nor other Edicts and Declarations made thereupon, have never yet limited neither the time of Funerals, nor the number of persons. They of the P. R. R. have always enjoyed a full and entire liberty in

in this respect, and it is but of late that they have been deprived thereof by the solicitation of the Clergy: Wherefore they hope that his Majesty considering that this limitation is a Nursery of Suits and Disorders, will revoke all this Article of the Declaration, and the Decrees which have been made conform thereto, and will leave them of the said Religion in the liberty of their Burials, that they may enjoy them so and in the same manner as they have been accustomed to use them before such Decrees.

But besides all this his Majesty will be pleased to understand, that in the Countrey the execution of this Article is absolutely impossible, for the Church-yards are very far distant, and oftentimes it behooves them to travail two or three Leagues to commit their Corps unto the earth. If then they be not to part from the house of the dead untill the entry of the night, how can they make so tedious a Convoy through the horror of darkness, many times through dreadful wayes and mires, through which they will have all trouble imaginable to make passage? The morning hour doth not help this mischief at all, for if they set out at break of day it will be necessary thereupon that they travel two or three hours after the Sun is risen: from whence the Parish Priests will not fail speedily to lay hold of occasion to raise suits, and also to oppose the Convoy by violence, as it hath fallen out in many places, so that the dead Corps hath been abandoned in the midst of a great High-way; upon pretence that the interment ought to have been accomplished by break of day, for which reason the Parliament of *Rouen*, who cannot be suspected to be too favourable to them of the P. R. R. have made a regulation importing that Burials in the Countrey may be made at all hours, except only those of the Divine Service of Catholick Apostolick Roman Churches. This being a thing evidently just, should be ordained through all the Realm, adding only an explanation of what is intended by the hours of Divine Service, that it comprizeth only the Morning Service and the Celebration of the Mass, because if the hours of Divine Service be understood to contain all those in which any sort of Ceremonies or Religious Offices may be performed, there will be no hours left free in the whole day for the interments of those of the P. R. R. from whence many Suits have been seen to arise in *Normandy*, about the hours of Divine Service.

But instead of making an Article against them of the P. R. R. about the matter of Burials, it were much more necessary to make one against them of the C. A. R. Religion; for they trouble and abuse the others excessively in their interments, making Insolent noises and cries after them; pursuing them with blows of stones, many times breaking open the gates of their burying places; filling the graves appointed for their Sepulture with Bones and Ordure, and act many other indignities, of which the examples are so frequent, that it were a vain thing to make report of them.

It is also a thing very ordinary with them to hinder those of that Religion from burying their dead in their Parishes where their Predecessors have had Burial places, upon pretence that the publick exercise of their Religion is not there had or is not there permitted. And oftentimes violence is used to disseize them of the liberty acquired by the Edicts, and sometimes they come to Arms, and that with a confused rout of people to dispute with them the entry of their Burying places. It is to these disorders that his Majesty is most humbly besought to provide remedy, which may hinder that no such violences nor seditious practices may happen any more; by ordaining that the Funerals of those of the pretended Reformed Religion may be freely made, without molestation or scandal; and with prohibition to insult over them in word or deed, according to the twenty ninth Article of the Edict of *Nantes*; as also to disturb them in regard of the hour or number of Persons in these occasions.



## ARTICLE XXV.

## Burying Places.

*That the Burying places possessed by those of the P. R. R. and those which belong to Churches, shall be restored to the Catholics, notwithstanding all Acts and Transactions to the contrary. And for those Burying places possessed by them that are not belonging to Churches, in places where they have none but what are common with the Catholics, they of the said P. R. R. shall exhibit within three Months the antient Registers of those places before the Commissioners, Executors of the Edict, or their Catholick Subdelegates, to make proof that the said Burying places do not belong to the Catholics; in which case they shall be restored without any re-imbursment: And in case they of the said P. R. R. do not produce the said Registers within the said time, they shall be obliged to quit the said Burying places to the Catholics, without pretending to any damages by reason thereof. And in case of Eviction from the said Burying places, his Majesty doth permit them to buy others at their own charge and expence in places commodious, and which shall be appointed them by the said Commissioners or their subdelegates.*

**T**He hatred of the Clergy against the deceased of the P. R. R. is declared by degrees. In the twenty third Article they have forbidden them the liberty of exposing them before the doors of their Houses, to expell them from that small honour unto which notwithstanding they of the said R. R. have never pretended. Then afterwards they deprived them of the convenience and benefit of Convoys in the 24<sup>th</sup> Article. And behold here also they would take from them their Burying places that they might deprive them of Burial, which Humanity and the Laws of Nations have allowed all the World. It is manifest that the Ecclesiasticks have observed no moderation in this Article, for they Will that notwithstanding all Acts and Transactions, the Burial places should be taken from them of the P. R. R. If they had pretended that they had usurped their Burial places there had been reason to oblige them to restore them, but to dispossess them of what belongs unto them by just titles, and by vertue of good Acts and authentick Transactions, is to have no regard to right never so well established.

They will alledge that the Burying places belong to Churches, and that this is a sufficient reason to deprive them of the P. R. R. because that their Divine Service is disturbed by their Burials in this case. But the Funerals of those of the said R. cannot cause any the least trouble to them of the C. A. R. R. in their Churches, because they are not made with Singing, Preaching, Prayers, or any Ceremony at their Interrment. And if the Burying places of them of the P. R. R. belong to any Churches, or are nigh them, they were the Commissioners deputed by his Majesty who have chosen and aligned those unto them in those places by the consent of the Parishioners.

It is very true that those of the said Religion refuse not to forgo those Burial places which appertain to Churches, and they will be very glad that others be given them in convenient places. But since that those Burying places have been given them by the Kings Commissioners, and they enjoy them by titles unquestionable; it is altogether just that the Catholics should deliver unto them others; or repay unto them the price of the ground, and charges of Reparations and Augmentations which have been made by them. And this is the most humble supplication which they direct unto his Majesty in this particular.

For the other Burial-places which belong not to Churches, and which nevertheless are common to them with those of the C. A. R. R. the Article of the Declaration is in that point very surprizing. For it requires that those of the P. R. R. should make proof that those Burying places do not at all appertain to the Catholics. That is to say, they would oblige them to prove a negative, against all the Law of the World. It had been sufficient to require them to prove that these privileges had belonged unto them. For possession alone of more than forty years suffices, and hath the force of an uncontrovertable title

tle. But to constrain them to prove that these Burying places belong not to others, is indeed without all excuse.

It is also true that those of the P. R. R. refuse not to quit the Burying places which they have Common with them of the C. A. R. R. But since these also have been assigned them by his Majesties Comissioners, and that they possess them by Acts and Transactions whose Truth cannot be drawn into question; Reason requires also, that they be re-imburfed, or that they who would have their burying places, should give them others at their Charge and Expence in convenient place.

But instead of disputing with them of the P. R. R. the possession of their Burying places, it were more necessary to provide against the troubles which are given them to hinder their enjoyment of those which are not belonging to Churches, nor common to them with the Catholicks. For this is a very common evil, and which hath of late caused strange disorders. For so it is, that when there dies in the Country any person of the P. R. R. in a Parish where there is no Burial-place appointed for them of that Communion; if they would carry the Corps to some Burying place which they have, in some Neighbour-Parish, the Parish-Priests oppose them with incredible heat, yea some of them have come also to that excess, as to threaten to raise the Country against the Bearers, and those which did accompany the Bier. Being this is an inhumane action and which natural compassion cannot suffer, that the earth should be forbidden to any dead person whatsoever; the King is most humbly besought to imploy his authority in this matter, and to ordain that either in every Village, some Burying place be delivered to them of the P. R. R. according to the twenty eighth Article of the Edict of *Nantes*; or that in such places wherein they have no Burying place, they of the said Religion may carry their dead to some Burying-place, which they have in some Neighbour-Parish.

## ARTICLE XXVI.

### Process for Cases reserved to Provosts.

*That House-keepers of the said P. R. R. against whom the Presidial Courts shall issue Process, in any case subject to the Jurisdiction of the ordinary Judges or Provost, shall not cause the Competence to be Judged in the Chamber of the Edicts when the said Presidial Courts have commenced the Suit before the Provosts (or Ordinary Judges) but the Competence shall be Judged by the said Presidial Courts; in which case the Defendant may refuse three Judges without cause known, according to the sixty fifth Article of the Edict of Nantes. Notwithstanding the said House-keepers of pretended Reformed Religion being Defendants upon any Crime under the Jurisdiction of the Ordinary local Judges, may demand their remission to the Chambers of the Edict, for to cause the Competence to be there Judged, where the Provost or Ordinary local Judge shall begin the Suit according to the 63, and 67 Articles of the Edict, which shall be executed as to Vagabonds according to their form and tenor. And the Judgement made upon the Declinator by the said Chamber, for the Householders of the said P. R. R. shall take place for the Catholicks Defendants, for, or upon the same Crime where the Process shall be made conjunctly.*

**T**He Import of this Article is terrible, in that it respects the Lives of those of the P. R. R. whom it throws back, especially those of the Provinces of *Guyenne, Languedoc, Province and Dauphine*, into the first condition in which they were before the erection of the Chambers of the Edict, which were expressly agreed upon for their sakes, that they might not be left exposed to the passions of the inferior Judges, whose Motions are commonly more suddain, more hot, and violent than those of Sovereign Courts. This notwithstanding, this Article withdraws the House-keepers of the P. R. R. from under the Chambers of the Edict, to subject them in Causes in the Jurisdiction of ordinary Judges unto the Presidial Court, that they may Judge of

them with Sovereign authority. Which the Clergy pretends to ground on this pretence. So it is, say they, that the Edict of *Nantes* in its sixty seventh Article hath not attributed to the Chambers ordained by this Edict, the power of judging of Competencies in Process Criminal, but only when they are brought by the Provosts (ordinary local Judges) and not when they are brought by Presidial Courts. But there can be nothing more unreasonable than this imagination of the Clergy. For if Presidial Courts cannot Judge of the competition of Provosts, (inferiour Judges) and are obliged to remit their Judgement to the Chambers of the Edicts, when the Defendant requires it; how much less are they capable to Judge of their own proper Competence?

For being herein they are concerned in their own personal and particular interest, there is cause certainly wherefore they should be the more suspected; what appearance of Reason can there be to make them Judges of their own propofals? And to what danger shall not the lives of them of the P. R. R. be exposed for the future, if they be abandoned to those Judges, out of whose hands they have been withdrawn so many years by the Edict, who come now to revenge themselves on them for the time they have lost?

Neither may they pretend to diminish this danger, by saying that the Presidents cannot make Criminal Process against any House-holder of the P. R. R. but only in cases subject to Provosts, ordinary local Judges; for if they be once established Judges of their own Competencies all Crimes shall become Provostall in their hands, wherein persons of this Religion shall be concerned; so instead of one Provost (Inferiour Judge) from whom the Edict doth exempt them, they shall have many who shall treat them severely upon all occasions. And it will come to pass oftentimes that the Presidial Courts by a suddainness as formidable as that of the most fiery Provosts (ordinary Judges) will dispatch an honest man in twenty four hours time; because he hath not any means to bring himself before his proper Judges, who are the Chambers of the Edict. Furthermore, it appears manifestly by the settlement of this 67 Article of the Edict of *Nantes*, that the intention of the Law-giver was to comprehend equally under the same Law the Provosts and the Presidial Courts: for after that he had ordained that the Competency should be judged by the said Chambers, if the Defendant did require it, he adds, *That as well the Judges in Presidial Courts as the Provosts Marshal, vice-Bayliffs, vice-Sheriffs, and all others that Judge finally, should be obliged respectively to obey and satisfy the commands given them by the said Chambers, in such manner as they have been accustomed to do to Parliaments, upon pain of deprivation from their Estates:* Where it is manifest that the right of Judging Competencies granted unto those Chambers, respects the one as well as the other; for the Presidials have not received power to Judge finally in the four Provostall Cases (i. e. which belong to inferiour Judges) otherwise than those Provosts had it before: So that the authority of the one ought not to be privileged more than that of the others who first exercised it. In a word, there needs but one thing to be noted for discovery of the surprize in this Article of the Declaration, which is this. That the Edict hath absolutely taken away from Parliaments the Cognizance of Process Criminal against them of P. R. R. and the Declaration hath attributed sovereign Judgements of the same unto the Presidial Courts. Is it because the Presidial Courts are more capable, more illuminate, and less passionate than the Parliaments? who sees not in this the surprize of the Clergy, from which may it please the King to secure those of the said Religion by a revocation of this Article?

But they have need that his Majesty would herein also redress another mischief. For they have attempted to ruine their liberty likewise in regard of criminal Process, which they make against them by the Provost Marshals or by their Leivetenants. Witness the Decree got from the Council by surprize the 15 of October 1647. which declaring that the Crimes of making and uttering false Moneys, altering the species and clipping of Gold or Silver; and the Adherents and Accomplices of these Crimes, should be in the sole Jurisdiction of the Provosts in case of citation by them, whether the Defendants were householders or not; did forbid the Chamber of the Edict in *Castres* to receive the Petitions of Appeal, which should be presented unto them by these of the P. R. R. upon these Capital heads, when they should be accused thereof; or to decree any distresses against the Clerks of the Provosts (ordinary Judges) for not remitting of the proceedings, which had been made before them against the Defendants, if they were not actually in their Prisons. Whereupon it comes to pass that the Provost Marshals will no longer obey the Chambers of the Edict, which having made way for divers conflicts about Jurisdiction before the Council, Decrees were observed with astonishment to be given shortly after, which denied unto the parties accused, the remission which they demanded of the Chamber of *Castres* to judge of the Competence. There can be nothing more contrary than this not only to the Edict, but even to the Kings last Declaration, who in this 26th Article agrees so expressly that the Householders of the P. R. R. being Defendants



Defendants in any case Provostal (*i. e.* subject to ordinary Judges) should be remitted to the Chambers of the Edict, where their Process is made by the Provosts; so true is it that one prejudice granted against them of the said Religion makes way for many others, and gives boldness to push on against them the extremity of rigour. For this cause, the King taking notice of the consequence of the breaches which may be made of the Edict, will be pleased to preserve it intire, causing for that intent this Article to be expunged, which is found so opposite unto this Edict, giving such assurance unto his Subjects of the P. R. R. or to Provosts Marshal, that they may never more have cause to fear any thing because of their Jurisdiction, from which they are so formally exempted, nor of the Decrees which would subject them thereunto, which they instantly demand of his Majesty to rescind.

## ARTICLE XXVII.

### The Preceding of Judges.

*That the Judges of the said P. R. R. in Sheriffs Courts and others, may not preside in the absence of the heads of their Company, but Catholicks only, who shall be mouth to the rest; so as to exclude the Officers of the said P. R. R. notwithstanding that they be the more Ancient.*

**H**OW shall this blasting Article be reconciled with the 27<sup>th</sup> of the Edict of Nantes? in which they of the P. R. R. are declared capable to hold and exercise all Estates, Dignities, Offices and Charges publick whatsoever, and to be indifferently admitted and received without being rejected or hindered from enjoying them, because of the said Religion. And with the forty eighth of the peculiars of the said Edict which expresseth, *That the most ancient president in the Chambers M<sup>u</sup>parties should preside in the Audience, and in his absence the second; the order and rank established for the Presidents, serve for a rule to the Judges Assessors.* Besides, this matter hath also been decided by the Royal answers of Henry the Great, as well in the Paper of 1599. upon the first Article of the twelfth Chapter, as that of 1663 upon the 19 Article. The King therefore, who with a design truly worthy the greatness of his Soul, is resolved to walk in all things after the glorious steps of his Grand-Father, will be pleased to maintain that which hath been so justly established by that admirable Prince, and will cause this Article which is contrary thereunto, to be put out of the Declaration.

The importance is so great, that if this prohibition be left therein, it will continually furnish new matter for insulting over the Officers of the P. R. R. and to put such affronts upon them as will render their lives extremely bitter. This hath been seen of late in Montauban, where the private Lievetenant of the Presidial Court of that Town, hath had a pretension the most unreasonable in the World, and notwithstanding hath procured it by surprize to be authorized, having obtained upon Petition to the Council a Decree, importing that another Lievetenant of the same Bench but of the C. A. R. R. should take place, not only in that which is proper to the Presidency, but in all other Functions of his Charge, notwithstanding that he was the younger in admission; which is expressly against not only the Edict, but also to a Decree of the Council given in the 26<sup>th</sup> of February, 1664. on the behalf of the Officers of the Court of Aids of Mompellier: for there it is ordained that the Officers of the P. R. R. should in all other Acts as well as that of presiding, and being mouth of the Courts be preserved in their rank, sitting, place of seniority, and Prerogatives according to the Order of their admission. Therefore the other Decree which respects the Lievetenant of Montauban being contrary to the preceding settlement of the Edict and the Decrees of the Council, cannot in any wise stand good, and the King is humbly besought to null it, as a surprize made upon him by a Petition as uncivil in its ground as artificial in its utterance.

## ARTICLE XXVIII.

## Process of Commonalties.

*That the Process that concern the Generality of the Towns and Commonalties, whose Consuls are Parties in this quality, although the Consulat be Miparties, shall not be drawn into the Chambers of the Edict for affairs that concern ACCOMPTS only; although also amongst them the number of the persons of the said P. R. R. be greater than of the Catholics, saving only to the particular persons of the said P. R. R. to enjoy their priviledge of Appeal to the said Chambers of the Edict, in which we will that they be preserved according to the Edicts.*

THE intent of this Article is more dangerous than the words. For therein is found by all appearance a fault in the impression, and that in these words, *For affairs which concern ACCOMPTS only*, the word *Accompts* is put by mistake for that of *Commonalties*. For this Article is taken out of a Decree made in Council the seventeenth of November 1664. by which the Cognizance of all affairs of Towns and of Corporations; in which the Consuls are parties in this quality, is taken from the Chambers of the Edict, albeit in those Communities the Consulate be Mipartie and that therein be more persons of the P. R. R. than Catholics.

But both that Decree, and this Article of the Declaration are a surprize made upon the Kings Justice. For the Edict of *Nantes* is to all purposes contrary to this new settlement. And the 34th Article of the Generals cannot suffer it. There it may be seen that the Law-giver after he had established the Chambers of the Edict, regulates their Competence, and ordains *That they should take Cognizance and Judge sovereignly and finally by Decree privative to all others, of Process, and Differences, moved and to be moved, in which those of the P. R. R. should be the principal Parties or securities, whether Plaintiff or Defendant, and in all matters Civil or Criminal, whether the Process were made in writing or by verbal appeal.* It is not possible to give a larger extent to the Competence of those Chambers. For the Edict speaks generally of all Processes, and all Differences, moved or to be moved, in all matters Civil and Criminal, when they of the P. R. R. are Defendants or Plaintiffs, Parties Principall, or Security, by Writing or Word. Can there be any doubt, considering this exactness, that it was not the mind of the Edict to attribute to the Chambers which it erected, the Cognizance of all affairs of them of the said Religion, in what manner of cause soever they might be; and that in this generality, process in which Commonalties were made parties, should not be comprized as well as others?

And that which affords a proof yet more clear, is, that in the same Article of the Edict, after that he had so strongly extended the Competence of the Chambers, he comes in the sequel to specify the restrictions which ought to be made thereto. Except saith he, *for all matters of Benefices and Possessions of Tythes not insecr, Ecclesiastick Patronages, and causes wherein shall be concerned the Rights, Duties or Demaines of the Church, which shall be created and Judged by the Courts of Parliament, so that the said Chambers of the Edict shall have no Cognizance thereof.* There is no person that may not easily gather from hence, that if the Process of Communities, in which they of the P. R. R. have interest, could not be brought to the Chambers of the Edict, they ought to have been placed in this exception, which so particularly notes out all the reserved cases: and in that it hath not spoken thereof, it is an indubitable proof that the Edict had no intention thereof to deprive the said Chambers.

On the contrary, it appears manifestly by the 51. Article of the generals, that it would have the Chamber to Judge of the affairs of Commonalties and Towns. For there these words are read, *There shall be made unto the said Chambers Miparties, propositions, deliberations, and resolutions which belong to the publick Peace, or for the peculiar estate and polity of the Towns where these Chambers shall be.* For if the affairs which respect the publick peace, and those which concern the estate and polity of the Towns, be under the Jurisdiction of these Chambers; it may reasonably be concluded that those of the Commonalties are not without their Competencie, being that of all the affairs of the Commonalties there are none of greater importance, than those of the publick Peace and Polity of the Towns.

And certainly reason also doth evidently agree in this with the Edict. For if in particular affairs, wherein one person alone of the P. R. R. is concerned, the Cognizance belongs to the said Chambers, to the exclusion of Parliaments, then much more in general affairs, in which thousands of People are included, and how much more in the affairs of those Commonalties wherein they of the P. R. R. are found to be many more in number than the Catholicks? Every thing follows the nature of the parties; and being the Chambers of the Edict only have the power to Judge Sovereignly of all the particular Interests, in which they of the said Religion pretend to have some right; how can they contest against their Judgement in their general interests, who are the body and *Composum* whereof the others are only members and parts?

For to say that the Commonalties ought alwayes to be esteemed Catholicks, how great soever the number be of those of the P. R. R. is an allegation which cannot satisfy any equitable persons. This Maxim though it were certain, cannot be extended farther than to respect things purely honourable, and where the publick authority is not only touched; but not to respect matters of gain, in which the question is only of Interest; and of this rank are the Processes in which the generality cannot suffer, but the particulars must also infallibly suffer at the same time. Being therefore the Edict doth secure the lives and Estates of those of the P. R. R. their Interests ought to be preserved in all sorts of affairs, whether they be common or particular.

It is in vain to reply here that the Article of the Declaration provides sufficiently for their Interest in agreeing that every one should have apart, the Priviledge of his Appeal to the Chambers of the Edict. For besides that this benefit, which doth only regard private persons of the said Religion, hinders not but that they may be hurt in common: it is certain that the private persons themselves will find no relief for their sufferings. For when once they are condemned by the Parliaments in their Body, in the Community; they will deride them when every one in particular comes to help himself by his Priviledge, and betakes him to the Chambers of the Edicts. They will treat them as persons already condemned, they will hear them no more: they will despise all their reasons, they shall have brave demanding Justice, they will not forbear to ruine them piecemeal, and send them back with their Appeal to pay those sums from which they were exempt by the Edict.

This Article therefore being so troublesome, and so prejudicial to them of the P. R. R. his Majesty is most humbly besought to discharge them thereof, without having any regard to the Decree of the seventeenth of November 1664. and to permit the Chambers of the Edicts the Soverain Judgement in all their Process and all their differences, with reservation only of those, whose Cognizance belong to the Courts of Aids and Chambers of Accompts, which they do not pretend to decline in affairs which are in their competence.

## ARTICLE XXIX.

### States and Sessions of Diocesses.

*That according to the Declaration of 1631, and the twenty seventh Article of the Edict of Nantes, in the Towns where the Consulates and Consul Politicks are Miparties, the first Consul shall be chosen out of the number of such Inhabitants as are best qualified, and of ability to bear Cesses; with prohibition to those of the P. R. R. to demand admittance to the first Consulate, neither into the Estates they held in the Provinces, nor in the Sessions of the Diocesses.*

**H**itherto the Clergy have done nothing else but contradict the Edicts, but here they also contradict themselves. For in this Article which they have suggested, and is a surprise, they would, that according to the Declaration of 1631, and the twenty seventh Article of the Edict of Nantes, the first Consul should be of the C. A. R. R. and that those of the P. R. R. be not admitted to the first Consulate, nor be admitted into the Estates, nor into the Sessions of the Diocesses. In the mean time, the twenty seventh Article of the Edict, *Admits those of the said Religion to all Estates, Dignities,*



Offices, and publick Charges; as also it receives them into all Councils, Deliberations, Assemblies and Functions, which depend thereon indifferently, and without distinction. So that whilst they alledge this Article, they destroy it; and making semblance to execute it, they utterly overturn it from top to bottom.

As for the Declaration of 1631 they have but little more faithfully cited it to his Majesty. For here we see is a general settlement, which forbids them of the P. R. R. to enter into the Assemblies of the Estates which are held in the Provinces. Whereas that Declaration of 1631 was particularly for them of *Languedoc* and *Guienne*; and it speaks nothing at all of their entrance in the Assemblies of the Estates; but only of the myparty division of the Consulates and Politick Charges. It is indeed true, that the Declaration ordains, that the first Consul should be always of the C. A. R. R. And because of all the Consuls none but the first enters the Assembly of the Estates in *Languedoc*, the said Declaration by that means shuts the Door against all the Consuls of P. R. R. in that Province; which is a formal opposition to the said twenty seventh Article of the Edict, and they of the P. R. R. have good ground thereof to demand a revocation. But so far are they at this day from repairing the wrong which they did then, that they have aggravated it yet more, and have in divers places outed them of the P. R. R. from the Consulate whole and entire, which the Declaration of 1631 had only made miparty; and now over and above all, the Clergy by an evident surpris have here taken occasion by an Ordinance which hath respect only to the Consuls of *Languedoc*, to forbid the entrance into the Assemblies of the Estates generally to all those of the P. R. R. in what part of *France* soever they live; that they might comprehend in this exclusion those persons which have right thereto by the Edict, and which is more, which are in peaceable possession, and who never have been questioned for their entrance into, and rank in the Estates of their Country; as the Jurats of *Bearn*, who without distinction of Religion have been always for more than this hundred years received into the Estates of their Province. As also the Lords, Gentlemen and others of this Religion, who without any difficulty have been admitted into all the Estates of the Realm, and who here implore the Justice of his Majesty for the conservation of their Right, beseeching his Majesty to declare, that it is not his intention to deprive them thereof. But the surpris of the Clergy doth not stay here; but that which renders it altogether insupportable, are the last words where they mention the Sessions of the Diocesses, this is a Novelty which was never heard of before, and renders the condition of those of the P. R. R. wholly deplorable. Though it might well be said, that as to the Estates, the first Consulate being taken from them of the said Religion by the Declaration of 1631, they could not, according to the terms of that Declaration, pretend to have any entrance there: yet the same cannot be extended to the Sessions of the Diocesses, for to this day all the Consuls from the first to the last as well of the one as of the other Religion have always without difference had entrance into these Sessions of the Diocesses, because they are Coæquators (*i. e.* Assessors) born, as they speak in *Languedoc*, that is to say, that in the quality of Consuls, they have all the right of proceeding unto the division of the Taxes, and other Impositions laid on the Diocesses by the order of the Estates; the Sessions being nothing else but an Assembly made in every Diocess, after the sitting of the Estates, for making necessary Impositions. Being then there is nothing treated of in these Sessions, but the division of the Charges which are to be born by them of the P. R. R. as well as others; and that all the Consuls without exception have right to assist there, it is just that they should be admitted as heretofore, for the preservation of their Interests there. For by what justice can they banish from those Sessions the persons who are to bear the greatest part of the Charges, who pay to the King much more than they of the C. A. R. R. because they are more in number, and possess more Lands; the difference being so great, that of eight parts they have seven in divers places; wherefore shall they be driven from those Assemblies where they have so great an interest, if not to this end, that in their absence they may cast on them the whole charge to be born, that they may ruine them, and overwhelm them by unreasonable Impositions, and many times contrary to the Edicts, and that they may treat them not as Subjects of the King, and Natural French, but as Strangers and Prisoners of War, whom they would put to their ransom? Being then all this Article is contrary to the Edict, and to the Liberties of those of the P. R. R. and drawing after it the ruine of their Estates, let it by the King's good pleasure be cast out of the Declaration, and above all, the end which excludes them of the said Religion from entering into the Estates and the Sessions of the Diocesses; and for to secure their repose in a point of so great consequence, they do most humbly beseech his Majesty to rescind all the Decrees, Judgments, and Declarations, which may have given any occasion to this Article.

## ARTICLE XXX.

## Common Council of Towns and Commonalties.

*That in all Assemblies of Towns and Communities, the Catholick Consuls, and Common-Council-men be at least of equal number to those of the P.R.R. into which Assemblies the Rector or Vicar may enter, as one of the Common-council, and have the first vote, in want of other Inhabitants better qualified, and without prejudice to the right of those places which may appertain to Ecclesiasticks, provided of Benefices situate in the said places.*

**T**He manner then of putting this Article into execution in all Communities, being there are divers places in the Realm, where all the Inhabitants are of the P. R. R. is reserved to the Parson and his Vicar. It will therefore come to pass, that in such places they can never assemble, and that the publick Affairs be wholly deserted; where the Voters are not above four in number, which is not at all reasonable; and besides there are occasions in which it will be impossible. For sometimes Affairs occur which concern the Parson and other Ecclesiasticks; so that in those places where there are none of the C. A. R. R. but the Parson and his Vicar, no deliberation can possibly be had in those Accidents. Adde hereunto, that in many places there are ancient Statutes which exclude the Ecclesiasticks from entering the Town-Houses, for that they contribute nothing to the ordinary Charges, by reason of their Privileges; and therefore it is not just to put into their hands the conduct of the Affairs which concern the Communities. And it may also be feared, lest the Affairs of the King receive prejudice, because in these Assemblies the Curats, Parsons and Vicars will have so great care of the Interests of the Clergy, that those of his Majesty may thereby be incommodated. This Article therefore not being possible to be executed, doth of it self require to be suppressed.

## ARTICLE XXXI.

## Single Municipal Employments.

*That the Charges of the Secretaries to Consular Houses, Clerks to Communities, Clock-keepers, Porters, and other Charges Municipal, which are single, shall not be held by any but Catholicks only.*

**I**T must needs be, that the Clergy have a strange hatred against those of the P. R. R. being they cannot suffer them to be so much as Clerks, Clock-keepers, or Porters. Should not they take notice how contrary this pretension is to the intent of his Majesty, who declares, that he wills *That the Edict of Nantes be exactly observed*; that Edict which admits indifferently, and without distinction in the twenty seventh Article, *Those of the P. R. R. to all Estates, Dignities, Offices and Charges publick whatsoever belonging to Knights, Nobles or Cities*, of which these last are they which this Declaration terms municipal. In the mean time against a settlement so clear repeated and confirmed in the tenth Article of the particulars, they will not allow the least employments, nor the smallest Offices to them of this R. Ought not the Clergy to have had more respect to the King's Royal Promise, and not to have demanded of his Majesty things which he hath published to the whole world, to be contrary to his will, whilst he declares, that he will observe the Edict of *Nantes*? But this Article doth not only combat the Edict, but it furpasses also the rigour of the Declaration 1631, which imports that all the Municipal Charges should be Miparties, and that one half of them should be supplied with those of the C. A. R. R. and the other half of the P. R. R. which is so well observed, that

that the single places, as those of the Secretaries to the Consular houses, are used by turns one year by a Person of the C. A. R. R. and another year by one of the P. R. R. and so in order consecutively.

There are therefore no bounds to the Animosity of the Ecclesiasticks against them of the P. R. R. In the Year 1631, they were content to demand that the Municipal Offices should be Miparties, now they will wholly exclude those of the said Religion. In which it must be avowed, that they little consider Reason so they satisfy themselves. For Goods and Lands being possessed by them of the P. R. R. as well as others, the inequality it self being so great in divers places that of eight parts those of the P. R. R. possess seven, as hath been already observed; can there be any reason to require that all the Titles and the Records of Heritages and of Lands, should remain in the hands of those of the C. A. R. R. to dispose at their pleasure, and to cause the substance of others to disappear when they shall be possessed with envy toward them, or any other emotion inspired by the diversity of their Religion, shall cause them to conceive such a design?

This is therefore an Article upon which the Justice of the King is implored to cause it to be intirely abolished, and his Majesty may easily judge of how great importance it is to retain a settlement so rigorous, in that it continually furnisheth new vexations to his Subjects of the P. R. R. as appears by the injury done to them of *Castres*, where under pretext of this Article which forbids them all single municipal charges, they will not permit them any longer to be Porters to the Town; notwithstanding that this charge is not a single one, and that there are many Porters according to the number of the Gates. This is a very clear proof that the least pretext serves to bring the uttermost extremity upon them of the P. R. R. because they look on them as persons upon whom they may attempt all things without fear of punishment.

## ARTICLE XXXII.

### Trades and Professions.

*That in the Assemblies of the sworn Masters of Trades, the Catholicks shall be at least equal in number to those of the P. R. R.*

**I**T behooves that we voluntarily close our eyes that we may not perceive that this Article proceeds farther than it seems, and that the Clergy hath here another design than what appears in their words. For they know that there are places where all the Masters of certain Trades are of the P. R. R. for that those of the C. A. R. R. neglect those Professions, and apply not themselves thereunto. From whence the Clergy could not fail to infer, that it was impossible to put this Article in execution in those places. But the Ecclesiasticks would in this affair cover another more secret intention. That is, to reduce and limit the number of the Masters in every Trade. For, if in the Companies of the sworn Masters, those of the C. A. R. R. ought to be at least in like number with them of the P. R. R. it will quickly be concluded from thence that no Masters are to be received, untill the number of those of the Catholick A. R. R. become equal to the others. And they will then proceed yet much farther, for then they will have the number of the Masters of the C. A. R. R. to be much greater than that of the others, and that the same proportion is to be kept which is in every place betwixt the persons of both Religions. This is the reason that the Parliament of *Normandy* hath forbidden the admitting of any Goldsmith, or Grocer of the P. R. R. in the Town of *Rouen*, untill such times as they are reduced to fifteen, that is to say, that for fifteen Goldsmiths of the C. A. R. R. there can be but one of the P. R. R.

That which is done in Trades is done also with the same rigour in all liberal Arts, in all Professions, and in all Employments. It is no more possible to cause them to receive any Advocates of the said Religion, and the Parliament of *Rouen* have made a regulation, secret indeed, but which is executed with all possible exactness, importing that they will not receive any more Advocates of the P. R. R. untill such times as they are reduced to the number of ten for the Parliament, two for the Presidial Courts and Bailywicks, and one only for the Sheriffs Courts, that is, that there be none received into Parliament for fifty years, for that half an age at least will be necessary to make this Reduction to the number of ten,



In like manner they receive no more Clerks, no more Notaries nor Messengers, no more Ushers nor Serjeants, no more Attorneys. And we see with grief in the suppression which is made of a certain number of Attorneys in every seat of Judicature, they have pitched altogether of them of the P. R. R. that they may drive them from all the Jurisdictions of the Realm. It is incredible that ever such a Change could be seen to come in an Estate where the Edict of *Nantes* hath been so well verified by Parliaments, and so authentickly confirmed by the successors of *Henry* the Great. Upon what grounds do they interdict them of the P. R. R. of the Functions of Counsellors, Clerks or Attorneys? what have those charges common with Religion? And to exclude them of the P. R. R. from the quality of Counsellors, is no other than to cause that their Innocence and the Merits of their Causes should be without support before the Tribunals, that they may be oppressed at the pleasure of their enemies, and adverse Parties. For to reduce them of the P. R. R. to serve themselves of no others than Counsellors of the Ca. A. R. R. were to take from them all means to defend themselves in matters of Religion, there being no likelihood that Counsellors of another Faith would take on them to defend Interests of that Nature; or if they would, it must needs be done with such feebleness and negligence, that no success could be thereupon expected.

They proceed so far herein as not to be willing to suffer any Physicians of the P. R. R. as if the Precepts of *Hippocrates* and *Galen* were incompatible with the confession of the Faith of the P. R. R. Churches. The Parliament of *Rouen* have limited the number of two to that great Town, and almost all the Universities of *France* begin to refuse the Degrees of Doctor in Physick to those of the P. R. R. notwithstanding that we see the *Jews*, open and declared enemies of Christianity, do exercise this profession, and fill even the Chairs of Physick in the most famous Universities of *Italy*.

Finally it is not sufficient to say that they do at this day limit the number of those of the P. R. R. that aspire to Professions and Arts, we must also add that they exclude them wholly. For it is not without incredible pains that any one hath admittance. And as for Trades, they refuse with a high hand in a manner all those that offer themselves, without alledging any other cause than their Religion. This is not only simply to shut upon them the gate to Honours and Dignities; but it is also to take away from them of the said Religion, all means of gaining their Lively-hood; and to condemn them cruelly to dye of hunger; as if there were left no more humanity for them neither in their hearts nor in their Spirits.

It is true that the King hath been willing to remedy this injustice by his Decrees given in Council the 28th of *June*, the 18th of *September* and 10th of *November* 1665. by which it is ordained that those of the P. R. R. should be indifferently admitted to Arts and Trades serving their Apprentiships, and doing their Master-pieces, by which also the contrary Decrees of the Parliament of *Rouen* are rescinded.

But there are three things which grief and necessity force them of the said Religion to present before his Majesty. The first is, that neither the Parliaments nor the inferior Jurisdictions depending on them have any regard at all to these Decrees of the Council. They make open profession not to regard them, and they are not afraid to say aloud that they will not yield to them at all, if the King do not express himself otherwise, nor make them understand his Will by a Declaration formal. In effect the Court of Money by a Decree of the 17th of *December* 1666. have forbidden any Master of the Goldsmiths to be received in *Rouen*, untill such times as the number of the Catholics be supplied. And thereupon the Jurisdiction of Money in the said Town hath refused an Apprentice-Goldsmith to be received Master, and have dismissed him lately by their sentence of the 12th of *July* 1668.

The Parliament of *Paris* hath fined one named *Magdalen de la Fond*, and put her to pay Costs and Damages, and forbids her the exercise of the trade of a Linnen Merchant by their Decree of the seventh of *September* 1665. somewhat more than two Months after the first Decree of the Council which ordained, that those of the P. R. R. should be indifferently admitted to Arts and Trades, being dated *June* 28, 1665. And which is yet more astonishing, the Council it self made a Decree of the like Nature, *August* 21 of the same year 1665. to forbid that there should be any Linnen Merchant in *Paris* of that Religion. By which one may conclude that the Decrees of the Council are not sufficient to establish a certain Law, and that the Declarations of the King are necessary to determine affairs, especially in the favour of them of the P. R. R. who find always strong opposition in the Spirits of their Judges.

The Second thing to be considered in this place is, that the Decrees of the Council speak only of Arts and Trades, and not of Professions and Charges, such as be of small consequence, as those of Clerks which hath given them occasion obstinately to refuse Physicians, Counsellors, Attorneys, Clerks, Ushers and Serjeants by a marvellous hard usage,

which constrains them which have these Gifts and Talents proper for the service of the publick, to continue in forced silence which renders them unprofitable to the Estate, and which overwhelms them in confusion; as if they were persons notorious and infamous, and which had deserved for their evil Actions not to be admitted into any honest profession, nor received into any remarkable Employment. This is the reason, that they of this Religion which perceive themselves to have any capacity, and which may be profitable to their Country, think of nothing else but to retire themselves out of the Realm: and the Estate by this means will see it self deprived of many persons of merit and service, by whom strangers benefit themselves to the prejudice of *France*.

The third thing which ought here to be observed, is, that the Decrees of the Council receive not them of the P. R. R. to Arts and Trades, but under condition of Apprentiships and performing Master-pieces, to deprive them by this Clause of those Letters of Master-ship which the King hath been accustomed to grant upon important and advantageous occasions, as hath been done in favour of the general peace, the happy marriage of his Majesty, the Birth and Baptism of my Lord the *Dolphin*. They of the P. R. R. cannot express the grief they have conceived from a Decree gotten by surprise from the Council *July 21, 1664*, by which they are deprived of these Letters, which are the gracious favours of their Sovereign, the refusal whereof cannot be unto them but most sad, not only because of the prejudice which they receive thereby, but especially because of the dishonour which it casts on them. For to refuse them these Letters of Master-ship, is loudly to declare them unworthy of the least Grace from their Prince: and what would they not do to recover themselves from this blasting? Are they not *French* by Birth and Original as well as others? Take they not part as they ought in the prosperities of the Estate? The general Peace, the happy Marriage of his Majesty, the Birth and Baptism of my Lord the *Dauphin*, and the other advantages of the Crown and Royal House, are not their hearts therewith sensibly affected? Have they acted any Treachery, or any attempt which might exclude them from those Graces which diffuse themselves to all other Subjects? On the contrary his Majesty hath testified himself for them, *That they have given proofs of their fidelity and zeal beyond all he could have imagined*. This is therefore a surprise made upon his Majesty, whereby a Decree hath been obtained from the Council, wherein the rigour proceeds so far as to declare them of the P. R. R. unworthy the favour of being Shoemakers, or Joyners. They are those of this R. especially that have need of these Letters of freedom, for that the most part of the Masters of the C. A. R. R. will not take them for Apprentices, and the Guardians being almost never satisfied with their Master-pieces, the entrance into Trades in this way is to them ordinarily impossible. Besides these Letters have never been denied them hitherto, they have always very easily obtained them; they peaceably enjoyed them; and this hath made their refusal more pungent and afflicting. But above all this they cannot sufficiently complain of the unjustice of the Parliaments, who overbearing that infallible Maxim of Right, that no Law hath any effect but for the time to come, would this notwithstanding, that the Decree of the Council of *July 21, 1664*. which deprives those of the P. R. R. of the Letters of Master-ship, should have a virtue retroactive. For they condemned those persons to shut up their Shops, who in consequence of such Letters were admitted Masters, and who had many years before exercised their Trades.

Therefore the King is most humbly besought to redress this: and for to stay those disorders which cast his Subjects of the P. R. R. into a famine worse than that which comes through the barrenness of the Earth, or which will force them to seek their Bread in strange Countries, as many in considerable numbers have done already, to the great prejudice of the Trade, and Manufactures of the Realm; his Majesty will be pleased to ordain, that they of the said Religion may not be refused upon what pretext soever it be to be admitted into Arts, and into Trades, and that they be received indifferently, whether it be by Letters of Master-ship, or Apprentiships, or Master-pieces; and that those who have heretofore obtained Letters of Master-ship may not be hindered to make use thereof, and that at length those of the said Religion may be admitted into all sorts of Professions, of Arts and Trades, without restriction or limitation of number, that they may enjoy all the rights, and perform all the Functions which depend thereon. And that his Majesty would have the goodness to infer this into a Declaration in good form, that may not leave any more place of disobedience to passionate Judges and Officers.

## ARTICLE XXXIII.

## Ceasing of singing Psalms in Churches whilst Processions pass.

*That when the Processions in which the Holy Sacrament is born, pass before the Temples of those of the P.R.R. they shall cease to sing their Psalms until the said Processions be past by.*

**H**ERE is no appearance that they would have this Article to be extended to all sorts of Procession of that Quality which is here specified, for that it would be impossible to obey what pains soever were taken therein. For the most part of these Processions are arbitrary, and unforeseen, and made on days and hours not fixed, nor settled; how then can it be possible for those who are in an Assembly to know when they are to pass? And how shall they who sing in a Temple, many times far distant from the Street or Way, shut in with Walls, and in a place apart, understand whether a Procession pass or not? There is therefore sufficient reason to believe, that the intention of the King in this Article is to speak only of that Solemn Procession of the day called *Corpus Christi* day, which being known and foreseen of all People, those of the P.R.R. may be forewarned not to Preach in the morning of that day, but to chuse some other, as is already practised in divers places.

This is the interpretation which they herein request of his Majesty for preventing the evil intentions of those who seek to trouble their repose, and will raise a thousand Suits against them, if this Article remain in the condition it is in at present. For if they of the P.R.R. whilst they are in a Temple, be not silent when a Procession passeth, although they could neither foresee it, nor discover it, nor perceive it; they will not fail to fall on them, and draw them into Law, and condemn them to pay great Amercements; and perhaps will use them far worse. For they will think themselves sufficiently authorised to assault the Temple, and to treat it as Rebellious, and demand to have it pulled down, and it may even so come to pass, that the people in the Procession will seditiously pull it down at that instant, through their fervor, without attending the order of Justice, as hath been often seen in those times in which they have had no Declaration which might serve them for a pretext for such popular commotion. And this may happen to be the mean to raise whole Cities, and to cause such flames as cannot be extinguished but by the blood of many persons. His Majesty therefore will be pleased to revoke this Article; or at least to make it clear, by restraining it to the Procession of the day named *Corpus Christi* day, and leaving, in regard of other Processions to them of the P.R.R. the liberty which they have always enjoyed, notwithstanding all contrary Decrees, Judgments and Ordinances.

## ARTICLE XXXIV.

## To make clean the Streets before their Doors against Festival Days.

*Those of the said P.R.R. shall be obliged to suffer their Houses to be hung in the Streets by the authority of the Officers of the place, and other places appertaining unto them, on the Feast's days ordained so to do, according to the third of the private Articles of Nantes, and that they of the said P.R.R. shall make clean before their doors.*

**I**T is true, that by the third of the private Articles of the Edict of *Nantes*, they of the P.R.R. are obliged to suffer Hangings to be put up before their Houses, but not to clean the Streets before their Doors. This is an Addition to the Law, and which



which appears also contrary to the Law, for that the Edict in the sixth general Article doth expressly signifie, that those of the *P. R. R.* may not be constrained to do any thing to any Religious Purpose against their Conscience. They then humbly beseech his Majesty to dispense with them for sweeping before their Doors, on the occasion of the Feasts, because this is a thing repugnant unto their Consciences, being done as a Religious Ceremony, which their Faith approves not of. This also will be after a short season a matter of Suit also; because they will always pretend that they have not swept clean enough; and there will be found people so ill disposed, as to cast ordure before their Doors, to the intent they may make them criminal Offenders. For this cause, being the Civil Ordinances are sufficient for cleansing the Pavements of Towns, and those of the *P. R. R.* are at all times very careful to acquit themselves well herein before their Houses; there is no need of the last Clause of this Article, and his Majesty is besought to revoke it.

## ARTICLE XXXV.

### Meeting the Sacrament in the Streets.

*That those of the Pretended R. R. meeting the Holy Sacrament in the Streets, carried abroad to the sick, or otherwise, be obliged to retire at the sound of the Bell which goes before it; or if not, to put themselves in a posture of respect, by putting off their Hats, if they be men, with prohibition that they appear not at the Doors, Shops, nor Windows of their Houses, whilst the Holy Sacrament passeth, unless they put themselves in such posture.*

**B**Eing the King leaves unto them of the *P. R. R.* the liberty of the Alternative, and permits them to retire in these incident cases; they never give cause to complain of them. But they find themselves constrained in this matter to represent three things unto his Majesty.

The first is, that they are always in these occasions hindered from retiring; the way is stopped, the doors of the Houses are shut upon them, they are held by force, they are outraged, they are laid on with Blows, after all this they are over and above punished, as not retiring: his Majesty is therefore besought to add unto this Article, *That no hindrance be made to them that would retire, and that those who attempt to stay, force, or outrage them in any manner whatsoever, be punished as disturbers of the publick peace.*

The second is, that whereas in this Article nothing is said save only of meetings in the Streets, many flye out so far as to require them to put off their Hats, who are closed in Chambers and Houses, and in case they refuse, they make criminal process against them, and hold them a long season in prison without any other cause, by an unexcusable violence. So far that they would even oblige the Councillors of the *P. R. R.* to be uncovered when they are within the Tarrets, where the object of the Adoration of those of *C. A. R. R.* is neither seen, nor perceived, and whence it is not possible for them to retire. His Majesty is therefore besought to declare, *That this Article is not extended, but to those meetings which happen in the Street only, and not otherwise.*

The third thing is, that the Parliament of *Rouen*, in verifying the King's Declaration have much aggravated this Article. For whereas the King obliges those that will not retire, only to put off the Hat, which respects men only, and insists on an action less than bending of the Knee; the Parliament extending the rigour of this Authority against both the Sexes, have carried it on so far, as to command: *That they should put themselves in the same observance as the Catholicks*, that is to say, to kneel: which cannot be reasonably exacted of them of the *P. R. R.* so long as they are left in the liberty of their Faith. Therefore his Majesty expounding this Article in the manner which hath been represented, may be pleased to forbid to hinder them who would retire, or, to do them any displeasure; by declaring that this Article is not to be extended, save only to meetings which happen in the Streets, without having any regard to the verification of the Parliament of *Rouen*, which he discharges, as contrary to his intention.

## ARTICLE XXXVI.

## Levies of Moneys.

*That those of the P. R. R. may make no Levies of Money amongst themselves, in the name and pretext of Collects, but only those that are permitted them by the Edicts.*

Those of the P. R. R. make no Levies of Money amongst themselves, but what are permitted them by the Edicts, they pretend not to make any others; and those who would raise this suspicion amongst them, do impose upon them a thing of which they are extremely Innocent. And by consequence this Article ought to be rescinded as to no purpose.

## ARTICLE XXXVII.

Collectors of Money appointed for the affairs of those of the pretended Reformed Religion.

*That the Money which they have power to impose may be imposed in the presence of a Royal Judge, according to the 43 Article of the particulars of the Edict of Nantes, and the State thereof be transferred to his Majesty or his Chancellor, and with prohibition to the Collectors of the Taxes to charge themselves directly or indirectly with the levying of the Money of them of the said P. R. R. which they have imposed for their particular affairs, which shall be Levied by distinct Collectors.*

Nothing should have been said to this Article, if the zeal which they of the P. R. R. have for the service of the King, had not obliged them to speak thereto. For it is certain that those who have suggested this settlement in thinking to hurt them, have done nothing but to the prejudice of his Majesties affairs. The reason is manifest which is this, that the Collectors of the Taxes of the Provinces of *Guienne* and *Langue-doc*, making at the same time the Levies of the Money appointed for the entertainment of the Ministers; these Collectors have still more Money in their hands, and by consequence the King is much better paid; because the Collectors do alwayes take of all the Money which comes into their hands, that which belongs unto his Majesty, by preference in the first place. But this is not the interest of them of the P. R. R. save only so as the Interest of the Prince is the same with that of all his true Subjects. And it suffices them here to remark only how the Ecclesiasticks are animated against them; being they regard not at whose cost their passion is declared, and that the Interest of the King himself cannot hinder them from hurting them of the said Religion, when occasion is presented them.

## ARTICLE XXXVIII.

## Contribution to the Charges of Chappels and Guilds.

*That according to the second Article of the Particulars of the Edict of Nantes, the Artisans of the said P. R. R. may not be obliged to contribute to the Charges of Chappels, Fraternities, or other the like; if there be not Statutes, Conventions, or Foundations to the contrary: and yet notwithstanding that they may be constrained to contribute and pay the rights which are ordinarily paid by the Masters, and the Freemen, of the said Trades, that the said Sums may be employed to the relief of the Poor of the said Trades, and other necessities and affairs of the Trade.*

THE Clergy who see that it is the intention of his Majesty in his Declarations to cause the Edict of Nantes to be exactly observed, employ all their Force and Art to ruin the Edict, whilst they make shew to conform themselves to it, and in searching out Biases which may give it some supposed senses, whereby they may turn it against them whose Protection it undertakes. This is the Principal Artifice of the Ecclesiasticks. This is that whereby they think to cast powder in the eyes, and this method appears in no part of these Declarations more naked than in this Article. For here we see the second Article of the particulars of the Edict of Nantes cited, by which the Artisans of the P. R. R. are discharged from contributing to the Charges of Chappels and Fraternities. But we find three wayes practised to make this Article unprofitable to them of the said Religion; and to employ it even against them.

The First is, that they apply to the Fraternities the exception which is found in that Article, when it saith, *Except they have any Foundations, Donations, or other Settlements made by themselves or their Predecessors.* And yet it is certain that the Foundations and Donations have no respect unto the Brother-hoods, but only to the other things specified in that Article, as Churches and Chappels.

The Second means is, that by an ingenious shift whilst they discharge the Artisans of the said Religion from contributing to the charges of Chappels, and Brother-hoods, and such like; they condemn them nevertheless to pay the same sums from which they exempt them, to be employed to the relief of the Poor, and necessitous of their Trades. This is directly to pull away with one hand what they will not receive with the other. The King hath not the terms of his Declaration so intended; being in this place equivocal, those persons which are enemies to them of the P. R. R. will never fail readily to give it an inconvenient sense. Therefore his Majesty is besought to expound himself, and to make it known that in subjecting the Masters and Artisans of this Religion to the payment of the dues to the Trades, he hath not intended those which are paid to the services and Devotions of the Guildes; but only those which the Masters of the one and the other Religion are obliged to pay for the relief of the poor, and for the sustaining the affairs of their Trade which are purely politick.

The Third is much more considerable and dangerous, which is, that in this Article of the Declaration they have inserted the word *Statutes*, which is not found in the second Article of the Particulars of Nantes; and by this word *Statutes* they will elude the whole settlement of the Edict. For there is no Guild which hath not its Statutes, so that they of the P. R. R. shall find themselves bound by the force of this word, to contribute to all the Guilds, to the prejudice of the Edict which exempts them from doing any thing contrary to their Consciences. And that they may leave them of the said Religion no hope of saving themselves therefrom, they have contrived of late to make new Statutes for their Trades, obliging the Masters to cause Masses to be said, expressly to this intent, that they may subject them to the charge of the Service of the Guilds from which the Edict hath exempted them. Yea, and by vertue of these new invented Statutes they will pretend to exclude all those of the P. R. R. from Trades, because there are found in them Articles which oblige the Masters to the Service and Ceremonies of the C. A. R. R. Church and which amount to thus much that none shall be admitted Masters who make no profession of the C. A. R. R. And because these Statutes are made since the Edict of Nantes, they will maintain that they do derogate therefrom. His Majesty therefore to obviate this mischief which is contrary to his intention, and to the Decrees of his Council, will be pleased to hear the most humble Petition which his Subjects of the P. R. R. make



make unto him to expunge this Article of the Declaration, and to be contented in the matter of Chappels and Guilds, with the second Article of the particulars of *Names*, and to expell out of his Ordinance, the word *Statutes*, which is not found in the Edict; and according to his equitable wisdom to impede those new Statutes which they would establish in the Trades, or at least to cause them to withdraw the Articles which concern the difference of the two Religions, as being of great prejudice to the traffick and behoof of the Publick, which thereby will be found most remarkably injured.

## ARTICLE XXXIX.

### Eliquidation or Stating of Debts

*That the debts contracted by them of the P. R. R. be paid by themselves only, and that the clearing the same may not be made before any other than the Commissioners of the Provinces deputed by his Majesty.*

**H**ere is another attaint which they would pass against the Chambers of the Edict, to whom properly belongs the Cognizance of the Debts contracted by them of the P. R. R. The Commissioners of his Majesty and the Intendants of the Provinces may well make the liquidation of the Debts of the Community, but those of the Communities are different from those which respect them of the P. R. R. alone. It belongs to the Chambers of the Edicts to verify their debts, with exclusion to all other Judges.

## ARTICLE XL.

### Inducements to change Religion.

*That those of the said Religion may not suborn the Catholicks, nor induce them to change their Religion under any pretext whatsoever, and that the Catholicks which shall abjure their Religion may not be married for six months after their Change.*

**P**ure and simple subornation which is not accompanied with Violence, nor Threats, nor Promises, nor Presents, hath no reference to those that are of Age; for that they being of age to know, discern, and choose, are capable to defend themselves from suborners; and when they suffer themselves to be perswaded to any thing, it is by an acquiescence of the Soul altogether free, which is carried of its self to imbrace that which it esteemeth reasonable; and this is the cause also why the 18th Article of the Edict of *Names*, which forbids inducement to the change of Religion, speaks only of Infants, willing that they should not be induced to this change without the consent of their Parents. And the same Article makes the prohibition reciprocal for them of the one and the other Religion under the same pains; Yet beginning at the Children of those of the P. R. R. because they are in effect more exposed to this danger.

According to this model his Majesty is besought to cause this Article of the Declaration to be reformed, restraining it to Infants and Minors, who only are capable of being suborned in the manner which hath been above described. For as to others who are at the age of reason and choice, what would follow if it were forbidden to induce them to change their Religion? how many Mischiefs and troubles would this Prohibition occasion? For they would pretend that it were no more permitted unto any person of the P. R. R. to talk at all in any manner of his Faith, no nor to render a reason thereof to them who shall come to question them about their belief. If one touch upon any point in discourse, if one lend any book of Religion to those who intreat it,

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if one instruct even his own Children in the presence of any of the R. C. A. R. Immediately they will pretend that he had a design to induce and suborn them to change their Religion and put him in trouble with Process.

So will there be no more liberty of Conscience in the Realm; there will be no more security for Masters of Families of the P. R. R. in their houses, for if they are about to chastise their Servants, or household, they to revenge themselves, may accuse them to have gone about to suborn them. This also would be a pretext to dive into the secrets of Families, and to introduce a kind of inquisition into France, against the liberties not only accorded to by the Edicts, but alwayes established in this Realm. There can then be nothing more equitable than to restore and bring back this Article of the Declaration to the terms of the 18th of the Edict, forbidding as well those of the C. A. R. as those of the P. R. R. to suborn one another's Children, and to induce them to change their Religion without the consent of their Parents, Rescinding for this purpose an Arrest gotten by surprize from the Council by the Syndic of the Clergy of *Nantes*, *Novemb. 3, 1664.* which Decree doth generally forbid to induce the Catholics to change their Religion in any manner whatsoever it be.

As for the prohibition made unto them who shall abjure the C. A. R. R. to marry for six months after their Change, it is a novelty and an innovation never known till now, and contrary to the liberty granted by the Edicts.

## ARTICLE XLII.

### Observations of the Laws of the Romish Church.

#### Observation of the Laws of the R. C. in point of Marriage.

*Those of the P. R. R. shall be obliged, according as they are enjoined by the 23 Article of the Edict of Nantes to observe the Laws of the R. C. received in this Realm, in the case of Marriages contracted and to be contracted both in the degrees of Consanguinity and Affinity.*

IT may seem that this Article were altogether innocent, being taken in a manner word for word, from the 23 of the Edict. But there is notwithstanding cause to fear that it is no other than a Trap set by the Clergy, to out them of the P. R. R. from the liberty which is given them by the 40th Article of the particulars of the Edict of *Nantes*, where his Majesty doth permit them to contract Marriage in the third and fourth degree, and promise to dispence for the second, one of the second and another of the third, or second and half; which hath been constantly and without any lett practised untill now, these Dispensations and Letters of the Prince being never refused to them who had recourse unto his Majesty and did demand them. Notwithstanding it is this right and this usage so well established and so reasonable which they intend to shake by this Article, which therefore by consequence ought to be erased, as being of ill consequence, and against the Edict: or at the least there ought to be added unto it, that it is without prejudice to the fortieth Article of the particulars of *Nantes*. By this also in all appearance, they have had a design to confirm a Decree gotten by surprize from the Council *January 16 1662.* taking from them of the P. R. R. of the Country of *Gez*, the power of celebrating their Marriages in the times forbidden by the C. A. R. C. which his Majesty is befought to revoke as an innovation made against the Edict, and a thing contrary to the Discipline of those of the said Religion, and to the Liberty of their Conscience.

## ART. XLII.

## A R T I C L E XLII.

## Ministers Converted.

*That the Ministers being converted shall be preserved from payment of Taxes and Quartering of Souldiers, as they were before their Conversion.*

**T**He King may bestow his Favours on whom he pleaseth; and they of the P. R. R. do in this place only beseech him, that seeing the exemption of Ministers after their change is founded only on what they had before, by vertue of their Character, that it would please his Majesty to cause the Ministers exercising their charge, peaceably to enjoy the exemption which belongs unto them, and to hinder the Crosses which are continually laid upon them in the Provinces, where they attempt to impose Taxes upon them notwithstanding so many Decrees of the Council which have fully discharged them, and for the execution whereof the Ministers address themselves unto his Majesty, humbly beseeching to give his Order in such manner, that they may be observed by the Generalities and in the Elections of the Kingdom.

## A R T I C L E XLIII.

## Exemption of Converts from the Debts of them of the P. R. R.

*That those that are converted unto the C. R. be exempted from paying the Debts of those of the P. R. R.*

**T**His Settlement being indeed an astonishing one, is of that sort which testify most the credit of the Clergy. For to obtain this it behooved them to reverse a Decree given expressly to the contrary in the Council the 30th of March, 1661. This is a Decree quite contrary to this Article; and which ordains that the Catholick Inhabitants of the Town of Privas, who have purchased the Houses and Inheritances of those of the P. R. R. of the same place, obliged or condemned with the other inhabitants of the same Religion for the payment of the common Debts contracted, the Community should pay the part which belonged unto them, of the Debts contracted by them of the P. R. R. for the Lands and inheritances which have formerly appertained to them of the said Religion, and now belong to Catholicks, whether by Succession, Donation, or Purchase, saving their remedy against the Sellers: this Decree adding also in formal terms that those who were converted should not pretend exemption from paying their debts, whether they were obliged in particular, or in the body and Community for the Lands which they possessed.

The nature of things hath not changed since 1661. The rules of Reason, Right and Justice, are still the same in the Council and in all the Tribunals of the Earth; And notwithstanding 1666. they destroy what they have ordained in 1661. And have made one express Article, that Converts to the Catholick Religion should be exempt from payment of the debts of those of the P. R. R. what Lights could there be had in this case to make so considerable a change? It is hard to imagine. For, can it be that the change of Religion should change the nature of Contracts and obligations; and introduce this novelty in Commerce, that those who are Debtors, cease to be, to the prejudice of their Creditors, who have lent them their Money upon their Credit, and upon just confidence they had upon the validity of publick Acts, by which they who borrowed their Money, became their debtors? The King will never consent to a favour or privilege to the prejudice of others: But here the favour which they would shew to these new Converts turns to the damage, and it may be even to the ruine of their Creditors, whose Bond may not only happen to be relaxed by the discharge of some of their Debtors: But it may fall out also that all his Obligees becoming Converts, some one man may loose all his whole debt in general, and so may see himself reduced to beggery. If the King would except these Converts, it would seem necessary for him to reconcile his Grace with his Justice, that his Majesty would be pleased to pay their debts, and to discharge them with his own Money. Otherwise this were to give away the Estate of another, and to cause a



lois without recompence, to those of whom the Prince is the natural Tutor in the quality of a Father of his Country.

It is also a thing worthy to be considered that in the Provinces of *Languedoc* and *Guinee*, the debts contracted by Bodies Corporate are Charges real, which follow the Land and immovable goods, into what hands soever they pass. Because the possessor is obliged to pay his part according to the proportion of his Inheritances, when they come to the division of these debts. How then can the Converts be reasonably discharged of these debts, being their obligation is not only personal but real also, and affecteth the Lands which they possess, and whose enjoyment by consequence is a sufficient title against them to make them liable unto this payment?

How great soever this matter of complaint is in itself; yet it must here be added that they go about to make it yet more insupportable. For although this Article is not extended farther than the debts of Communalities, yet there are many notwithstanding so absurd as to desire to extend it to particular debts, and to make use of their Conversion as an infallible means to cross the Books of the Merchants of the P. R. R. of the sums of which the new Converts find themselves accountable, and to extinguish and acquit all the rents with which they shall be charged, and to cancel all the promises by which they are held obliged to them of the said Religion.

The King without doubt never intended to authorize an imagination so unreasonable. This were to do outrage to the Christian Religion, to make it serve a design so contrary to its Precepts, to whose Disciples it is commanded by the mouth of *St. Paul*. (*Rom. 12. 7.*) *To render unto all that which is their due.*

This Article then drawing after it so many bad consequences; they of the P. R. R. demand with all respect and instance the revocation of it; and beseech his Majesty to expound it in such sort, that Converts may not imagine that they may be freed from paying their Creditors of the said Religion their personal and particular debts, with which they are charged by Contract, or by Obligation, or otherwise.

## ARTICLE LXIV.

### Temples and Burying places not to be discharged of Taxes.

*That the Temples and Burying places of them of the P. R. R. be not left out of the Rolls nor discharged of Taxes, but shall be used as heretofore.*

IT is hard to comprehend the sense of this Article, for it contains an evident contradiction. It imports that the Temples and Burying places should not be left out of the *Codastre*, i. e. out of the common Register, which contains the Roll of the Houses and Lands of one Parish, and that they shall not be discharged of the Taxes of the Countries where they are Real, and in the mean time the same Article adds, *that they should be used as heretofore.*

This is a contradiction impossible to be reconciled. For if they be to be used as in times past, the Temples and the Burying places shall be left out of the Parish Rolls and freed from Taxes, because they have been always used in this manner heretofore. To establish the settlement contained in the beginning of this Article were to overturn Order and Use. And Reason opposes it no less than Custom, for Temples and Burying places are places fallen into Mortmain, which are no longer in Commerce amongst men, and which being not possessed by any particular person, are not subject to any Charges which are put upon particular persons only. And this is that which hath been formally ordained by the answer of *Henry* the Great to the 26th Article of the Paper of 1601. on the behalf of the *Dauphine*; and by that of *Lewis* the Just to the 10th Article of the Paper of 1612. in behalf of all the Burying places of them of the P. R. R. in general. Justice therefore and the Royal decision of the two last Sovereigns of this Estate, demand the Revocation of this Article.

## ARTICLE XLV.

## Infants.

*That the Children whose Fathers are or have been Catholicks, shall be Baptized and brought up in the C. C. though their Mothers be of the P. R. R. and also the Children whose Fathers are departed in the said C. R. shall be brought up in the said Religion; for which purpose they shall be committed to the hands of their Mothers, Tutors, or other Kindred which are Catholicks, upon demand; with expresse prohibition to lead the said Children to the Temples or Schools of the said P. R. R. or to bring them up therein, albeit their Mothers be of the said P. R. R.*

Being Fathers have nothing more dear than their Children, this Article doth cause also an inexpressible grief to them of the P. R. R. Because it takes away from many amongst them the liberty of causing their own Children to be Baptized and brought up in the Religion which they Profess, upon pretence that they have sometimes been Catholicks. If this Article had spoken only of Parents who are or who dye in the C. A. R. R. it would have been thought less strange. But to require that a man should not Baptize his Child in the Communion in which he lives, because he hath been of another Religion 30 or 40 years before; certainly is a severity sufficient to throw a man into despair. Besides, here is also a Contradiction in this very Article, which speaks not only of Fathers *which are*, but which have been Catholicks. For wherefore will they that Infants, born of a Catholick Father, should be Baptized and brought up in the Catholick Church. It is without doubt because it is just and reasonable that the Children should follow the Religion of their Fathers, when as yet they are not of age nor in Estate to choose one. And by the same reason the children of those who actually profess the P. R. R. ought not they be Baptized and trained up in the same Religion, being the same with their Fathers, and wherein they were born, and being that whilst they are yet in their Infancy, they are not capable to choose a different one? This were to tear away from Fathers their Bowels, thus to ravish from them their Infants, and to cause them to be Baptized in a Church, and instructed in a Religion which they have renounced. And we must talk no more of Liberty of Conscience in a Realm, where it is given and authorized solemnly by so many Edicts, if this prohibition take place. This is to chase out of France all those persons how many soever there be who have embraced the pretended Reformed Religion within this eighty years. For where is that Father that can resolve to see his Infants in whom he hopes to live after his Death, lead whether he will or not into a Communion from whom he is retired, as not finding there any repose for his Conscience? where is there a father that can digest the mortal displeasure to see himself bereaved of the fruits of his Marriage, and to be condemned afterwards to pay them a Pension, as we have seen examples in divers places, and particularly in Rouen in the person of one named Bindel Painter, whose Children are brought up in this manner. If then his Majesty be touched with any Compassion towards his poor and humble Subjects of the P. R. R. he is besought herein to lend an ear unto their grief, and cause these terms to be put out of this present Article, which seem to have been slipped into it, and added thereto by surprize against the intention of so wise a Sovereign.

For the other part of this Article which imports that the Infants, whose Fathers are departed in the Catholick Religion shall be brought up in the same Religion; they intend not at all against it, provided it be intended of Infants that are under twelve years for Females, and fourteen years Males, according to the Decrees of the Council, regulating the age from which Infants may change their Religion. But here is cause to complain of two things in this matter.

The one, that notwithstanding by the Edict of Nantes, and by two Decrees made in Council of the twenty eighth of September 1663, and of the twenty fourth of April, 1665. the same thing hath been Decreed for the Infants whose Fathers have dyed in the P. R. R. *i. e.* that their Infants should be brought up in the same Religion, and for this purpose should be committed into the hands of their Mothers, Tutors, or other kindred of the pretended Reformed Religion: Yet notwithstanding they have not here made this Article reciprocal. From whence they may in time infer that in this they have derogated from the Edict and Decrees of the Council which were before. For  
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this cause the King rejecting these words *which have been*, will be pleased to render this Article reciprocal for them of the P. R. R. as well as for them of the C. A. R.

The other cause of complaint is, that even since the two Decrees came to be published, they have not ceased to hale away also by force from the Kindred of the P. R. R. Infants whose Fathers and Mothers have alwayes been of this Religion and dyed therein. Moreover now very lately, the Parliament of *Rouen* by an Arrest of the first of *February*, 1668. have decreed that a little Maid whose Father and Mother were departed in the P. R. R. should be taken out of the hands of her Kindred of that Religion, notwithstanding they offered to bring her up for nothing, that she might be put into the hands of her Tutor who is of the C. A. R. The reason which serves them to authorize such violences to the prejudice of the preceding Decrees is, say they, because these Decrees of the Council are not Registered, and by consequence oblige not, albeit that the last of the fourteenth of *April*, 1665. enjoynes all Officers to be conformable thereunto, and to cause it to be executed under pain of Rebellion. The King therefore to give some means unto his Subjects of the P. R. R. whereby his orders may take effect in this important matter, is besought to make thereof an Authentick Declaration which may be Registered in the Parliaments.

## ARTICLE XLVI.

### Schools.

*That they of the said P. R. R. may not keep any Schools for the instruction of their own Children or others, but in places where they have right to the publick exercise of their Religion, according to the 13th Article of the particulars of the Edict of Nantes, in which Schools whether they be in the Towns or in the Suburbs, they may not teach save only to Read, Write, and Arithmetick.*

TO understand well what the Schools of those of the P. R. R. are, it is necessary to observe that they are of three sorts. The first are their Academies and Colledges where they teach their Divinity. The second are publick Schools where they may teach Grammar and Humane Learning with open doors. The third sort are particular petty Schools which they keep with their doors shut, where the Infants of the said Religion, learn to Read, Write, and Arithmetick only.

For their Academies and Colledges they are fixed to certain places, and they shall not be insisted on here, because this Article deals not with their concerns.

For the publick Schools, the Edict permits them in all Towns, and in all places, where the exercise is publick, as the 37th Article of the Particulars doth prove, *They of the said Religion (saith it) may not keep publick Schools, save only in the Towns and places where the publick Exercise thereof is permitted.*

But as for petty Schools, the Edict supposeth them as permitted in all places indifferently by natural reason and equity, which authorises Fathers no less to give instruction than bread unto their Children, and as well to nourish their Spirits by a familiar Instruction, as to sustain their Bodies by an ordinary nourishment. So that it cannot be doubted that this is the intent of the Edict, for that when it forbids to have Schools elsewhere than in places where the Exercise is permitted; it speaks expressly of publick Schools; whence it results, that it leaves a liberty for particular Schools in other places where the publick Exercise is not had. In effect, this practice hath alwayes been followed since the Edict, and Parliaments have formally authorized this usage by their Decrees. The Parliament of *Rouen* have granted many on this occasion and two remarkable ones, amongst others, The one in the Month of *May*, 1605. By which, notwithstanding the opposition of the Abbess of *Montivilliers*, one named *Haise* was permitted to teach to Write, and Read in that Town of *Montivilliers*, notwithstanding that there was no exercise of the P. R. R. neither in the Town nor in the Suburbs, nor within more than two Leagues round about; upon condition only that he might not dogmatize.

The other was of the first of *February*, 1623. by which the same thing was permitted to one named *Poignant* under the same condition, not to dogmatize, and not to use the Prayers of his Religion in the Parish of *St. Anthony* of the Forrest, where the said Exercise was not at all established: and this, notwithstanding the opposition of the Official  
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of *Rouen*, since which time, the thing hath not been any more disputed; and they of the P. R. R. have not been troubled untill these last years, in which the hatred which many persons bear unto them, hath been permitted, all things without restraint, they have been desirous to forbid them these particular petty Schools in all places. And the same hath passed even to that excess, as to forbid Masters to go teach Children in particular houses: And to heap up this measure, it is carried on to a refusal of receiving Masters of the Arts of Writing and Arithmetick, as this may be seen all in one Decree of the Parliament of *Rouen* made against one named *du Perry*. This is one of the evils of which they of the P. R. R. do complain with the greatest sorrow; This is one of those for which they have the least pretext. For what danger can there rise from these petty and obscure Schools, which are rather a mark of the weakness of those of this R. than of their Power? Is it then a Crime for their Children to read and write? will they bring Process against a man for putting a pen into the hands of a simple flock of Infants which come to seek him in his Chamber without noise or shew? and shall Fathers be compelled to let their Children live like Beasts, or send them to Masters whom they suspect, or send them two or three Leagues from their houses to find there a Master of the Religion which they profess?

The distinction which here is made of the Schools of those of the P. R. R. shews clearly how many surprizes are to be found in this forty sixth Article of the Declaration. For first, The thirteenth Article of the Edict of *Nantes*, is cited to prove that they of the said Religion may not have any Schools, but in the places where they have publick Exercise; and yet it speaks only in the thirteenth Article of the *Instruction of Infants in that which concerns Religion*; an evident proof, that in the places where the exercise is not publick, it is permitted to them of the P. R. R. to have other Schools, that is, such as intermeddle not at all with Religion, and where they are taught nothing but Learning that is purely humane. Secondly, The Article of the Declaration wills, that in the Schools whether they be in Towns, or in Suburbs, where the Exercise of the said Religion is established, they may teach to Read, Write, and Arithmetick only, which is true indeed of the particular petty Schools which may be kept indifferently in all places with their doors shut, but not of the publick Schools which are authorized by the 37th Article of the Particulars. For that Article doth not restrain the permission of those Schools to Reading nor to Writing, nor to Arithmetick alone, but leaves them the intire liberty of Schools, to give the same Lessons there which they Practise in other Schools of the Kingdom.

Therefore to bring back and restore these things to the settlement in the Edict, it is just and necessary to permit publick Schools in all the Towns and all the places where the publick Exercise of the said P. R. R. is had: and to consent to the Particular petty Schools in all places of the Realm. This is that concerning which his Majesty is most humbly besought; as also to stay the course of the devices and injustice which is done to them of the said Religion concerning their Schools. For they do continually raise Suits against them about the word *Places*, which is found in the Edict of *Nantes*, when it is said, *that they may not have publick Schools but in the Towns and Places where their Exercise is permitted*; there are many who have the rigour to desire to oblige them to keep their Schools in the same place with their Exercise, *i.e.* within the enclosure of their Temples: Notwithstanding that King *Henry* the fourth expounded himself in this matter, by his answer to the paper of 1612, Art. 9. wherein he consented that the Children of the Towns and Suburbs should have Schools in the Towns and Suburbs where the exercise of their Religion was permitted: and that the Children of the Neighbour Villages round about should have Schools in the Suburbs. Wherefore to hinder us a vexation so ill conceived, his Majesty is most humbly besought to renew this explication, and to declare, that by the places of publick Schools permitted to them of the P. R. R. he intends the Townes or Suburbs where the Exercise is publicly enjoyed, and wholly extended to the Suburbs, Burrows, and Villages where they have the right of exercise, notwithstanding all Decrees and Judgements to the contrary.

## ARTICLE XLVII.

## Sojourners with Ministers.

*That the Ministers of the said Religion may not entertain any Sojourners save of the P. R. R. nor in greater number than two at a time.*

THIS is a thing which is not common to see Ministers entertain Sojourners. But it was not expected that a Law of the Realm would have been made to hinder them. For every one may use his House, his Table, and his Time as seems good unto himself, provided he do nothing against the Estate. And it is not easie to imagine in what the Estate receives prejudice when Ministers entertain Sojourners in their houses. For all the Instructions which they can give them is only particular, which is no where forbidden but in the Countries of the Inquisition. It is only publick instruction which is limited in France to the places where the publick Exercise of the P. R. R. is permitted. Yet in these authorized places Ministers must at least be permitted, to entertain as many Sojourners as they will to agree with the Edict. They who have suggested this Article ought to have thought that it was not worthy to be put into the Declaration of a great King, and for that very reason ought to be outed.

## ARTICLE XLVIII.

## The Sick.

*That the Ecclesiasticks and the Religious may not enter into the houses of the sick of the P. R. R. if they be not accompanied with some Magistrate, or an Alderman, or the Mayor of the place, and sent for by the Sick: in which case no hinderance shall be given unto them. Notwithstanding it shall be permitted to the Rector of the place assisted with some Judge, Alderman or Consul—to present himself to the sick to know of him if he will dye in the P. R. R. or not, and after his Declaration he shall withdraw himself.*

HERE we have the most important Article of all the Declaration. There is nothing more contrary to them of the pretended Reformed Religion, nothing more capable to trouble the publick Tranquility, nor to cause so deadly consequences of all sorts. For it is in Sickness, and above all, at the approach of Death, that men have the greatest need of repose, and that trouble is to them most insupportable; for that being otherwise sufficiently toyed, they cannot indure to be molested in that Estate, nor to be hindered in the enjoyment of the Peace and comfort of their souls, the Salvation whereof is then their sole Interest.

The Clergy in their other Articles have striven to take from them of the P. R. R. the means to live; in this they come to deprive them of the liberty of dying in the profession of their Faith, against that so express settlement of the Edict of Nantes in the 14th Article of the Particulars, *They of the said Religion (saith it,) shall not be obliged to receive exhortations when they are sick and nigh unto Death, whether it be by Condemnation of Justice or otherwise, of others than they of the same Religion; and they may be visited and comforted by their Ministers, without being molested.* And this point was judged to be of so great consequence that the King ratified it by his answer of 1636. Art. 19. For his Majesty there Ordained, *that the fourth Article of the particulars of the Edict of Nantes should be entirely observed, with injunction to his Officers to hold their hand therein, on pain to answer it in their proper and private names.* Can there be any thing more opposite to the Declaration? The Edict of Nantes wills that the sick of the P. R. R. shall not be obliged to receive Exhortations of others than those of their own Religion, and the Declaration on the contrary wills, that they be obliged to suffer the Parish Priests and Aldermen to enter into their houses without their consents, and without being called. How shall we agree

agree these two settlements so contrary? For to say that the Declaration only permits the Parish Priests to present themselves to the sick to know their minds, not to make any exhortations unto them, this is in truth to say nothing at all. For where is the Parish Priest that seeing himself Master of the Chamber of a sick person, will not adventure to speak somewhat unto him for to gain him? And if any attempt to hinder him, what uproar and what Mischief shall not follow upon it? They will cry Rebellion against those that assist the sick. They will pretend that they offer violence to the Parish Priest who making himself to be heard through the Windows, the neighbourhood and almost all the people will run thither in a tumult, break open the doors, throw themselves in a fury into the Chamber of the poor agonising person, who shall at the same time see himself miserably molested, all his Family terrified and discomfited, at what time as he ought to be left in repose, to bethink himself of his Salvation. And how many other Mischiefs will this permission given to the Parish Priests draw after it? For the least word that one can say to them to free ones self from their urgencies and importunities shall be taken for an attempt on his person; their persons shall be seized who let fall any word wherewith they are not satisfied, they will drag them to Prison, they will in the conclusion condemn them to so great Fines and such rigorous reparations, as are to be seen by divers examples in many places. Humanity it self ought to oblige unto more compassion to Families who are in sorrow, and not to establish means to give trouble over and above to a wife that hath more than enough by the sickness of her Husband, or to a mother that is weeping over a Child ready to give up the Ghost, or to Children that have their hearts wounded for the sad estate of their Father.

Furthermore, if a man be in a Phrenzy by the heat of a violent Fever, and he in the distraction of his spirit let fall any word contrary to his intention before the Parish Priest; they will quickly lay hold on it as a good and formal Conversion, and thereupon they will drive out of his Chamber all those that attend him: They will hale away the Wife from her Husband, and the Husband from his Wife, under pretext that the sick hath changed his Religion, and ought to have the liberty of his Conscience.

And if any person dye in this Phrensie, they will seize on his Body, and interr him after the Ceremonies of the C. A. R. R. though he never had any thoughts on it. Yea, and force his Children to leave the Church wherein they were born, and pass over to that in which they pretend their Father dyed, by vertue of the 45th Article of this Declaration, which imports, *That the Children of the Fathers, who departed in the R. C. A. R. Should be brought up in the said Religion.* But if the sick man escape, they will constrain him to go unto the Mass, and hinder him from returning to the P. R. R. by vertue of the Declaration against the Relapsed, though he never thought in the least to quit his belief; and if he have said any thing it hath been the pure effect of his Fever, in a time when he knew not what he said, and when he was not himself. And above all this, they will constrain his Children also to go unto the Mass, in consequence of this Declaration, which in the 45th Article Ordains, *That Infants whose Fathers have been Catholics shall be brought up in the Catholick Church.* Is it possible to be any misery like to this?

There is also herein another inconvenience which must not here be forgotten: which is, that the Parish Priests, when they present themselves to the sick, put to them captious and artificial questions, upon design to entangle and surprize them, for example, they will ask them *whether they would not be of the true Faith? whether they be not willing to believe the pure and sound Doctrine? whether they would not live and dye in the true Church?* and other such like things. To which, if a man answer only one, *Yes*, Immediately they take this word for an abjuration, and at the same time they put his friends from him, because they pretend by this one *Yes*, that the man is become a good Roman Catholick.

They must not pretend to put them of the P. R. R. into shelter against all these disorders, by the presence of the Judge and the Magistrate, whom the Declaration wills to accompany the Parish Priests. For the Parish Priests? will choose the Judges and Officers according to their liking; and they will find many as ill-disposed as the Parish Priests themselves; and who far from moderating them, will push them on to undertake any thing. So that their presence instead of helping, many times will hurt, because it giveth more authority to that which he doth, and the sick and his friends are less able to cause a Judge to depart, than a simple Parish Priest.

But if on the other hand the Parish Priest and the Judge transported with zeal, be minded to report the Declaration of the Sick otherwise than he hath made it, what means hath he to make the truth known? will he oppose the Testimony of his freinds and the standers by? why they will be suspected, and shall not be believed to the prejudice of the Judge and the Parish Priest. Neither shall they for the most part of the time serve themselves of their Testimony, because the Judges and Parish Priests do commonly



commonly send all people out of the sick mans Chamber whereinto they enter, this is a Mischief for which there is no remedy, but by revocation of this Article.

For the other Ecclesiasticks and Religious, it may seem that the declaration doth not give them so much power, because it wills that they be sent for by the sick. But at bottom this limitation is a fruitless remedy, for that when a Monk hath a mind to see a sick person, he will always find persons enough who will testify that he desired and sent for him; and experience hath already made us see sufficiently that these witnesses will never be wanting; in such sort, that upon their report, a poor sick person well settled in his Religion, and that hath no design to change it, sees those persons enter into his Chamber, whose presence alone is capable to trouble his Spirit.

This Article therefore which concerns the sick, being of so sad and destructive consequence, and casting them of the P. R. R. into dangers which they cannot think of without uttermost consternation, they do demand with most profound Humility, and yet at the same time with the most vehement ardour of their Souls, the revocation thereof whole and entire. To be content with a moderation herein were to no purpose, because there needs no more than the least shadow of permission to the Parish Priests to carry them beyond all Bounds. Witness the Declaration which permits them not to go in to any sick without a Judge or an Alderman, or a Consul. And yet we see they go boldly beyond this Rule, and intrude alone into the houses of the sick; and in the same manner the simple Priests and Monks go without a Magistrate, and without calling, because they have the power in their own hands, and they have nothing to fear whatsoever they enterprize. The King therefore may be pleased to consider that the yoke which this Article imposeth on them of the P. R. R. is unsupportable, and that he may discharge them thereof according to Justice, without which it may be said most truly, that they cannot any longer subsist in the Kingdom, because they have no longer any liberty to live or dy in repose.

## ARTICLE XLIX.

### Hospitals.

*That the poor sick Catholicks and those of the P. R. R. shall be received indifferently into the Hospitals in all places, without being constrained by violence to change their Religion: and the Ministers and others of the P. R. R. may go and visit and comfort them of the said R. on condition that they make no Assemblies, Prayers, nor Exhortations with a loud voice which may be heard by the other sick.*

**T**He end of this Article destroyes the beginning. For if it be not permitted to them of the P. R. R. to make Prayers nor Exhortations in the Hospitals which may be heard by others; certainly their sick can neither be visited nor comforted, and therefore cannot remain in the Hospitals. For it is well known in what manner the Hospitals are made; every sick person hath not his Chamber apart; there are always many together, and often two in the same bed. It is therefore impossible to speak unto one without being heard of some others; and it comes all to one to exclude the P. R. R. from the Hospitals, as to receive them upon an impossible condition.

But over and above this, the Clergy have also proposed another scope unto this Article, which yet every one cannot perceive; so going on to surprize them who pierce not into their secret intentions, for in causing it to be ordained, *that the Catholicks and those of the P. R. R. should be received indifferently into Hospitals in all places*; This is to hinder them of the said Religion from assisting their poor sick in their particular houses, and to constrain them to cause them to be carried to their Hospitals, where the Priests and Monks will not fail to belabour them, for to cause them to change their Religion, so that in consenting that they may enjoy the Hospitals they consent to nothing at all; because they add therunto a condition which takes from them in those places the means of being visited and comforted by their Ministers. And at the same time forbid them those houses wherein they may be assisted in their bodies without prejudice to the liberty of their Consciences, and consolation of their Souls. This Article therefore deserves to be rescinded; and there is no need to add any thing in this matter to the Edict of

*Nantes,*

*Nantes*, which in the twenty second Article runs thus. That the Sick and the Poor may be received into publick Hospitals, Spittles and Alms-Houses, without difference or distinction in regard of the said Religion.

## ARTICLE L.

### Infants Exposed.

*That Infants which are, or shall be exposed shall be carried into the Hospitals of the Catholicks, to be nourished and brought up in the Catholick Religion.*

## ARTICLE LI.

### Alms of Chapters.

*That the Alms which are at the disposal of Chapters, Priors and Rectors, be made by themselves, or by their Order at the places of their foundation, or Church doors, to the poor, as well Catholicks as those of the P. R. R. and that in the presence of the Consuls of the place. And as for Alms which are to be distributed by Aldermen or Consuls, they shall be dealt publicly at the Gate of the Town house, in the presence of the Priors or Vicars of the place who may thereof keep Record.*

## ARTICLE LII.

### Administration of Hospitals and Spittles.

*That the Hospitals and Spittles, of the foundation of Corporations be ruled by the Consuls of the place.*

**T**Hese three Articles are altogether useless.

## ARTICLE LIII.

### Festivals.

*That they of the P. R. R. keep and observe the Feasts instituted by the Church, and may not on the dayes which are to be observed in those Feasts sell nor retail in open Shops, and that their Handicrafts likewise work not out of their Chambers and Houses close shut on the said prohibited dayes, in any Trade whose noise may be heard without by those that pass by, or by their Neighbours, according to the twentieth Article of the Edict of Nantes, for which purpose the said Feasts shall be published by the sound of a Bell, or proclaimed by the diligence of the Consuls or Aldermen.*

**W**Hat makes this Article here which is nothing else than the twentieth of the Edict of Nantes, wherein sufficient provision is made for the observation of Feasts? Notwithstanding, the Clergy would not have given themselves the trouble to copy out so long an Article for nothing: And this without doubt is their design, Namely, to cut off the end of this twentieth Article of the Edict in which it is ordained, *That the inquisition after the violation of the Feasts, should not be made by any other than the Officers of Justice.*

Justice. And in place of those words they substituted these, *That the Feasts should be declared by the sound of a Bell, or proclaimed by the diligence of the Consuls or Aldermen*, but this addition is of little benefit; instead whereof the end of the twentieth Article is absolutely necessary to repress the ill humour of the Parish Priest and other Ecclesiasticks, who will pretend to be Competent Parties against them of the P. R. R. in the not observation of Feasts, and who will bring against them an infinity of Suits if they be not excluded from this inquiry by attributing it to the Officers of Justice only. Therefore this Article of the Declaration making a breach upon the Edict ought to be expunged, to the end that that of the Edict may abide in force.

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## ARTICLE LIV.

### Sale of Meats on dayes forbidden.

*That they of the P. R. R. may not retail or sell Vittuals publickly on the dayes which the Catholick Church hath appointed for abstinence therefrom.*

**T**His Prohibition is needlessly made against them of the P. R. R. For they will not give this occasion of offence to the Catholicks.

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## ARTICLE LV.

### Ringin of Bells.

*That the Bells in the Temples of them of the P. R. R. in the places where the exercise is permitted, cease to Ring from Holy Thursday at ten of the Clock in the morning, untill Holy Saturday at mid day, as those of the Catholicks are wont to do.*

**I**F the Bells of those of the P. R. R. were rung at divers hours of the day: If they were in great number to make much noise: or had a shrill sound, or had an harmonious chime like those which are heard on the Feast dayes, and upon occasions of Joy, it would be thought less strange that they would impose silence on them so long as those of the Catholicks are silent. But those Bells which are never more than one in every Temple, and which ring not but one moment in the day, to give notice of the hour of the Sermon; and whose sound is exceeding simple; there is no more reason to cause the Bell to cease which calls to the Temple, than that of the Clock which tells the hour of the Sermon and Prayers.

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## ARTICLE LVI.

### Bells in Temples, in places of Citadels and Garrisons.

*That in Towns and Places where there are Citadels or Garrisons by our Order, they aforesaid of the P. R. R. may not assemble by the sound of a Bell, nor place any in their Temples.*

**T**He same design which the Clergy have already made appear in divers Articles, is remarkable also in this; It is this, that they would bring the Fidelity of those of the P. R. R. into suspicion, as if there were some cause to fear that they would make use of their Bells, as a signal to betray the Places where there were a Citadel or a Garrison. But the knowledge which his Majesty hath of their inviolable zeal, and faithful affection which they have unto his Service, will cause him to pierce through all the vain Clouds of



of unjust suspicions which they would give him, and to revoke an Article so injurious to his Subjects whose obedience is without reproach, and who deserve not in this point to be treated otherwise than the rest of their fellow Citizens and Country Men.

## A R T I C L E LVII.

### Judgment of the validity of Marriages.

*And being we have been informed of certain actions occurring, not yet decided by any Decrees, to prevent altercations and differences betwixt our Catholick Subjects and those of the P. R. R. We ordain, that the Marriages made and contracted in the Catholick Churches, or before their proper Rector shall not be judged but by the Officials of the Bishops, who may take Cognizance of their validity or invalidity. And if the said Marriages be made in the Temples of those of the said Religion or before their Ministers, in this case, if the Defender be a Catholick, the said Officials shall have the Cognizance thereof in like manner; and if the Defender be of the P. R. R. the Royal Judges shall have the Cognizance thereof; and by Appeal the Chambers of the Edict.*

**T**His is a rude blow which the Clergy would reach the Edict of *Nantes* in favour of the Officials of the Bishops. For the Edict in the 41 Article of the Particulars had ordained, that the Cognizance of Proceses concerning Marriages should appertain to the Judges Royal; and by Appeal to the Chambers of the Edict, then when both Parties are of the P. R. R. not attributing the Cognizance to the Officials, but when the one of the Parties is of the C. A. R. R. And so much the more if he be Defendant. But the Article of the Declaration is contrary hereunto in two manners. For first, It wills that the Marriages which are made before the Parish Priests or in the Catholick Churches, should be judged by the Officials of the Bishops, though the Defendant be of the P. R. R. Secondly, this Article is couched in such sort, that even when both the Parties are of the P. R. R. It gives to understand that notwithstanding, if their Marriages were made in the Churches of those of the C. A. R. R. or before their Papiſh Priests, it should belong for all that to the Officials to take Cognizance and Judge thereof. Thus here they of the P. R. R. who are in no sort at all justifiable by the Ecclesiasticks, are subjected unto their Tribunals: and what may they expect from Judges prejudiced and passionate, but rigorous condemnations? This Article then takes them of the P. R. R. out of the hands of the Kings Judges, to put them in the hands of the Officials. This is properly to repeal the Edict, whose settlement in this matter is so Just and so Reasonable, that the new Commentator who hath employed all his Spirits to endeavour to take away this Sacred Buckler of the Edict from them of the P. R. R. hath notwithstanding said nothing at all to elude this 41 Article of the Particulars: on the contrary, he hath elsewhere confirmed it by the conference of *Fleix*, on the 23 Article of the Generals. So also the usage hath alwayes been hitherto conformable to the Edict. They of the P. R. R. have hitherto never pleaded in causes Matrimonial, but before the Judges Royal and those of the Chamber of the Edict. This is therefore an innovation, which the King out of the design which he hath to cause the Edict of *Nantes* to be exactly observed, without doubt cannot suffer.

## A R T. LVIII.

## ARTICLE LVIII.

## Tythes infeoft.

*That Criminal Causes in which the Ecclesiasticks are Defendants, may be handled before the Royal Judges and the Stewards, and in case of Appeal before the Parliaments, and that the Chambers of the Edict may not have Cognizance of the propriety nor of the possession of Tythes, nor of those that are infeoffed, nor of other Rights, Dues, and Demains of the Church; with Prohibition to the said Chambers of the Edicts to take any Cognizance thereof.*

ALL this whole Article was contrived by the Clergy for no other purpose than to foist into it one word which doth clash with the Edict, and enervate the powers of the Chambers appointed in favour of them of the P. R. R. For the Edict having declared in the thirty fourth Article, *That the said Chambers should take Cognizance and judge Sovereignly, and without appeal by Decree privative to all others the Process moved or to be moved, in which they of the P. R. R. were Parties Principal or Security, Plaintiff or Defendant, in all matters Civil or Criminal;* it after adjoyns this exception; *except notwithstanding all matters of Benefices and the possession of Tythes not infeoft &c.* The Edict then takes not from the Chambers allowed them of the P. R. R. the Judgement of Tythes but when they are not infeoft, and the Declaration on the contrary prohibits them the Cognizance of Tythes even infeoft. Is not this I, and nay, *pro*, and *con*, Affirmative, and Negative? In a word, the most formal opposition that can be imagined? if then the King will that the Edict be exactly observed, as cannot be doubted after the solemn protestation that he hath made thereof, it is impossible that this clause should subsist, and it ought necessarily to be revoked.

## ARTICLE LIX.

## Reparation of Churches and Presbyteries.

*That those of the said P. R. R. pay the impositions ordained as well for the re-edification, and reparation of Parochial Churches and Rectories, as for the entertainment of Catholick School-masters and Regents; notwithstanding that they may not be rated in regard of the Head-Money which may be ordained for this purpose, according to the second particular of the Edict of Nantes.*

They say commonly the end Crowns the Work: but here it destroys and ruins it. For we must remember that the Preface of this Declaration imported that it had for its scope to cause the Edict of *Nantes* to be observed, and the Decrees since interposed according to their form and tenure. But the Clergy having lost all memory of this Project, suggests here an Article which equally repeals the Edict, and all the Decrees which have hitherto treated upon this matter, which is the *re-edification and reparation of Parish Churches, Rectories, with the entertainment of Catholick School Masters and Regents.*

For as for the Edict of *Nantes*, it is so formal that it is an astonishment to any one, doubtless, to see it cited in this place as conformable to this Declaration. Thus it speaks in the second Article of the Particulars, which is alledged in this place. *They of the said Religion may not be constrained to contribute to the Reparations and constructions of Churches, Chappels, Presbyteries, nor to buy Ornaments for Priests, Lights, founding of Bells, holy Bread, rights of Guilds, hiring of houses for residence of Priests and Religious Persons, and other such like; if they were not obliged by their Foundations, Endowments, or other Settlements made by themselves,*

*selves, their Authors and Predecessors.* He that compares with this Article of the Edict that of the Declaration, shall find betwixt them the most perfect contrariety in the World.

The Edict of *Nantes* saith, *That they of the P. R. R. may not be constrained to contribute to the reparations, and buildings of Churches and Presbyteries,* and the Declaration saith, they of the said Religion shall pay the impositions that are appointed for the re-edification or reparation of Parish-Churches or Parsonage-Houses. Nor indeed is black more opposite to white, and the day to the night, than the Edict and the Declaration are in this point.

Besides, it is a thing worthy of consideration, that not only the Edict hath exempted those of the P. R. R. from Reparations, re-edifications and buildings, both of Churches, and Parsonage-houses; but also the Author of the Edict *Henry the Great,* and *Lewis the Just* his Son, both of glorious and immortal memory, have afterwards confirmed this exemption throughout, so many times as occasion was presented, as may be seen in their answers to the Papers of 1606. Art. 23, 1623. Art. 19, 1625. Article 4.

And not only the Edict and the Royal answers which are the explications and sequels thereof, have established this right in favour of them of the P. R. R. But also it is certain that the Decrees both of the Council, and Chambers of the Edict have been always conformed thereunto. There are found four decrees of the Council that make Proofs of this. The first is of the fourth of *March* 1602. By which *Francis Bontillon* and others making profession of the P. R. R. at *Quellebeuf*, were discharged of the re-edification of the said Church at *Quellebeuf*, and the Catholicks of that place, their Adversaries were condemned to restore unto them that which they had paid, both the Principal and Costs. The second was of the one and twentyeth of *August* following, by which the Inhabitants of the P. R. R. of *Conde* upon *Noirean* were discharged, without regard to the sentence of the Bailly of that place, of the rate set upon them for the re-edification of the Church and Altar of that Burrow; with a prohibition to the Parson and the Catholick Inhabitants to rate them for those reparations, on the pain of five hundred Crowns, and to answer in their own proper and private names. The third was of the twenty eighth of *August* 1623. which discharged the Inhabitants of the P. R. R. of the Country of *Bearn*, from contributing to the reparation of the Churches and Covents of the Catholicks, as well as the Catholicks from contributing to the building and re-edification of the Temples of those of the said Religion; making those two things equal and reciprocal; the which Decree was enregistred by the Parliament of *Pau*, the first of *July* 1624. And agreeable to so authentick a settlement, my Lord the Count of *Gramont*, Governor and Lievetenant General for the King in his Kingdom of *Navarre*, and in his Country of *Bearn*, gave forth his Ordinance on the twenty third of *June* 1642. By which he condemned the Jurats of the place of *St. Susanne* to be arrested, and carried to the Prison of the Castle of *Orther* for having commanded the Inhabitants of the P. R. R. of that place, to work in the reparation of the Parish Church there, and for having seized their Goods upon their Refusal. The Fourth Decree was of the Counsel of the fourth of *May* 1650. by which the Inhabitants of the C. A. R. R. of the Parish of *St. Thomas* in the Town of *St. Lo*, were debarred upon their own proper Petition, tending to cause those of the P. R. R. to contribute to the sum of 5000. Livers, which was to be raised on the Parishioners in common for the re-edification of the Church of *Saint Thomas*; notwithstanding that the Catholicks alledged that the said Church had been heretofore demolished by them of the P. R. R. during the Troubles.

As for the Chambers of the Edict, they have given like Decrees in so great number, that their multitude only hinders from citing them, so that this question hath not been dubious in the Parliament of *Normandy* it self, and the usage of the *Palais* of that Court hath been so constant to discharge them of the P. R. R. that they Condemned them also to pay costs, who had the rashness to assail them in this matter of reparations of Churches and Parsonage-houses, of which those of the said Religion have the Decrees in readiness to justify the truth of their Allegation in case there be need. What strang surprize then is this to see at this day a practice of Justice so well established to be changed all at one blow, and to repeal a Possession founded on the Edict, on the Answer-Royal, On the Decrees of the Council and the Chambers of the Edict, without any one appearing to the contrary, to the time of this Declaration.

The Preface of this Declaration it self setting down—*That what hath been Judged and decided by the Decrees should be firm for ever, and executed as a Law inviolable.* A Maxim surely, which is one of the greatest surprizes that the Clergy have made upon the Justice of the King, as hath been shewn in the beginning. But notwithstanding that this Maxim cannot be received in other things, the exemption granted unto them of the P. R. R.



in respect of the Churches and Parsonage houses ought to pass for a Law inviolable, since it hath been judged and decided in all occurrences by the Decrees of the Council and Chambers of the Edict; Decrees which are so much the more indisputable because they are founded on the Law, which is the Edict of *Nantes*.

What can the Ecclesiasticks then alledge for to colour their pretensions? All that they have in their mouths is a vain consequence which they draw by a false reasoning, and which serves only to shew how ill founded they are. They say that they of the P. R. R. do indeed pay Tythes to the Parsons: and by consequence they ought also to contribute to the Charges of Churches and Parsonage-houses. But there can be nothing less reasonable. For there is found in the Edict one express Article which obligeth them of the said Religion to pay the Tythes. But so far it is from having condemned them to contribute to the repairs of the Churches, and building Parsonage-houses; that on the contrary it hath one to exempt them. They cannot then argue rightly from tenths to reparations. And if one might draw a consequence from the one to the other, they of the P. R. R. might as well have good grounds to maintain, that because they are exempt from Reparations, they ought not to be subject unto Tythes: as the other think they have good ground to maintain, that because those of the said Religion are subject to Tythes, therefore they ought to contribute to reparations.

But the principal foundation of this affair is indeed, that they of the P. R. R. were not made subject unto Tythes but by the pure and only authority of *Henry* the Great, who would have it so that he might give that satisfaction to the Ecclesiasticks; for at the bottom, the Parish Priests are not the Pastors of them of the P. R. R. and do them no manner of service in Spiritual things; they are not bound to entertain them, but only their own Ministers who take care of their Souls; which also King *Henry* the fourth knew so well, that for to indemnify them in a thing from which their Religion did exempt them; he was willing to pay them yearly the sum of 45000. Crowns for the subsistence of their Ministers, to the intent that this sum might be in the place of the Tythes which they ought not to have paid. With what appearance of Reason then can they draw a consequence from Tythes to Reparations; being the payment of Tythes themselves is a charge to which they of the P. R. R. were so little subject, that the King himself thought that it was just for him to indemnify them in that particular? Would it not be a case very deplorable, that the money being taken away which was expressly allowed them to mitigate their payment of Tythes; yet notwithstanding nevertheless, the Tythes should obtain to oblige them to Reparations? And doth it not seem rather to be Justice to restore their Pension of 45000 Crowns for to recompense the Tythes which they pay in consideration of that sum, than to will that they be charged with new payments for Reparations, from which they are exempt by all manner of Reason?

It were in vain to pretend to make that limitation valid, which is found in the end of this Article, where it is said, *that they may not be Cottized, rated by the Poll*, i. e. that they may not be obliged to contribute, with respect to their Persons; but only according to the proportion of their Lands and Inheritances which they possess in their Parishes, so that they who have neither houses nor Lands should pay nothing. This is a very sad consolation, which regards only those miserable persons that have neither house nor home. And which is more, this sort of rating is not ordinarily set, save only on Inheritances, so that to allow this exemption only to those that have no estate in Lands, is to allow nothing in effect. The Edict it self will not suffer a thought of this fruitless exemption. For can it be said that when the Edict of *Nantes* exempts them of the P. R. R. from contributing to the Reparation of Churches and Parsonage-houses, that its intention was only to discharge Persons and not Lands? There is no appearance that any person would propose a thing so unreasonable. For the Decrees of the Council and of the Chambers of the Edict alledged above do fully evince the contrary, by authentick decisions which have been made in this matter during the term of more than threescore years; alwayes discharging those of the P. R. R. which possessed Lands purely and wholly of these Ecclesiastick Reparations. Being then the Edict exempts the inheritances as well as the Persons; it follows clearly that this new Declaration in pronouncing that they of the said Religion should not be rated in regard of their heads, makes nothing at all for them, and that it cannot be otherwise looked on than as the ruine of the Article of the Edict. A ruine which infallibly draws after it that of his Majesties Subjects who profess the P. R. R. For this will be a sure means for the Ecclesiasticks to spoil them of their Estates: because that out of hate to their Religion, the Parsons, Treasurers and Guardians of Parishes will make them bear almost all the Charges of these Reparations; as is seen of late by experience. They invent even every day a thousand crafty shifts, for to charge all the load of expences on them, and to discharge those of the C. A. R. R. And it will quickly be found, if there be no remedy, that all the money which

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which should be paid to the King, or imployed to the publick weal, will go to the re-edification of Churches, and building of Par sonage-houses, or trimming-up of Altars. This Article then is one of them, the revocation whereof is of most importance, and his Majesty shall do a thing worthy his Justice and his Royal bounty to condescend thereto, and to evacuate the Decrees and Judgements that have been given in consequence thereof.

Thus they of the P. R. R. justify what they have undertaken; maintaining that this whole Declaration of the second of *Aprill* 1666. is composed of nothing else but Articles either frivolous which deserve not to have any place therein, or contrary to the Edict of *Nantes*, and by consequence worthy to be rejected, as contrary to his Majesties intention, who would that this perpetual and irrevocable Edict be exactly observed in his Dominions. This great Monarch who by God's example, whose living Image he is, hath no respect unto the appearance of mens persons, and who heares the least of his People as well as the greatest of his Realm, is besought to give to these observations, some moments of that equitable attention which he allows to all those who implore his Justice: to the end, that knowing how reasonable the complaints of his Subjects of the P. R. R. are, he may revoke a Declaration which is the Tomb of the Edict, the work of the Hate and Animosity of the Clergy, the Ruine of the Liberty of Conscience, and a source of Infinite Mischiefs Publick and Private, and which will bring to the extremest misery, more than a Million of persons, whose Religion commands nothing unto them after the service of God, above Fidelity unto their King; and whose carriage hath made the whole World to see, that the zeal to be good Christians, and that of being good French-men, is in their hearts inseparable.

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The

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THE  
SECOND  
DECLARATION  
OF  
The same Second day of *April*, 1666. Entituled  
AGAINST THE  
RELAPSED  
AND  
BLASPHEMERS.

**L**EWIS, By the Grace of God, King of France and Navarr, To all those to whom these Presents shall come, Greeting. Since it hath pleased God to give Peace unto Our Realm, We have applyed Our Cares to Reform the Disorders which the licence of the War hath introduced; and because the Violations of the Edicts of the Pacification were the most considerable, We have laboured to repair them exactly by Commissioners, as well Catholicks as of the P. R. R. whom We have sent for this purpose into Our Provinces, by whose Report We having understood that one of the greatest evils, and against which it was necessary to make some Provision, concerned the abuse which hath been introduced of late time, by which, many who professed the P. R. R. did abjure it to embrace the Catholick, and after they had participated of the most holy Mysteries, returned by a scandalous contempt and Sacriledge to their first Heresie. As also, that those who were engaged in holy Orders, wherunto they were obliged by Vows, quitted their Order, and forsook their Monastery, to profess the P. R. R. against which We believed We had sufficiently provided by Our Declaration of the Month of April 1663. having prohibited Our Subjects of the P. R. R. who had once made Abjuration thereof, to profess the Catholick Religion, and those who were engaged in the holy Orders of the Church, and to the Religious Men and Women, to quitt the Catholick Religion, to take up the P. R. R. upon any pretext whatsoever. But because these Prohibitions without any Penalty, have not produced the effect which We did promise our selves, We were obliged to give out a second Declaration of the twentieth of June, the last Year, 1665. By which We Ordained that the Relapsed and Apostates, should be punished by the Penalty of Banishment; which Declarations have also continued without effect, because those who were guilty of these Crimes, betook themselves unto the Chambers of the Edict, notwithstanding the Cognizance of that Fact was appropriated by the said Declaration, to Our Parliaments, to whom for this purpose We had addressed them, and that under pretext that We had not precisely forbidden the Cognizance thereof unto the said Chambers, to whom the Jurisdiction thereof could not pertain, Our Edicts being not made in favour of them who were convicted of such Crimes, no more than of Blasphemies and Impieties uttered against the Mysteries of the Catholick Religion. Know therefore, that for these causes and other good considerations theremoving Us; By the Advice of Our Council, and of Our certain Knowledge, full Power and Royal Authority, We have said and declared, and do by these Presents, Signed with our hand, say and declare;



declare; We Will, and it is Our pleasure, that according to Our said Declarations, all who are guilty and accused of the Crime of Relapse or Apostacy, shall be judged by the Parliaments every one in his Precinct, and the Process by them made and perfected, according to the Declaration of June 22, 1665. as also in like manner, they who are convicted of Blasphemy and Impieties uttered against the mysteries of the Catholick Religion, with Prohibition to the Chambers of the Edict to take Cognizance thereof directly or indirectly, under any pretext or occasion whatsoever, under pain of nullity, and evacuation of the Proceedings, Costs, Damages, and Interests of the Parties, and greater, if need be; which our Attorneys of the said Chambers shall take notice of, upon pain of answering therefore: giving Commandment to our beloved and leige Counsellors holding Our Courts of Parliament, Baylifs, Stewards, and all other Our Officers and Justices to whom it appertains, that they cause these presents to be Registered purely and simply; and the contents thereof to be executed, kept and observed according to the form and tenure thereof; For such is Our pleasure. In witness whereof We have caused Our Seal to be put unto these Presents, to the Copies whereof credit is to be given as to the Original, Given at St. Germain in Laye the second day of April, in the Year of Grace, 1666. And the twenty third of Our Reign. Signed, Louis; and below. By the King Phelypeaux.

### *Observations upon this Second Declaration.*

**A**S this second Declaration is brought forth in the same place and on the same day with the former, so is it conceived by the same Spirit. For the Clergy who suggested the former, are also the Authors of this, and the Character of the Ecclesiasticks appears so visible therein, that one cannot read it without perceiving immediately that it is their work, and that the Sacred name of his Majesty was not set to it without a most evident surprize..

The Style alone of this Ordinance shews sufficiently from whom it doth proceed, we need only consider the terms it makes use of, to avouch that it is not the King that speaks therein. For the P. R. R. is therein called Heresie; they that have quitted it, and return thereto, are named Relapsed: The Priests and Monks which embrace it, Apostates and Sacrilegious; and those that speak at all as they think of matters in Controversie, are qualifed as Blasphemers against the mysteries of the Catholick Religion.

All France knows that since the Edicts of Pacification, our Kings have never expressed themselves in this manner, and there is not found any Declaration, Decree or publick Act, that have used these injurious terms. On the contrary, the Edict of Nantes in its second Article hath forbidden all those of the one and other Religion to outrage or offend one another in Word or Deed, enjoying them to contain themselves and to live peaceably together as Brethren, Friends, and fellow-Citizens, upon pain upon the Transgressors to be punished as infringers of the Peace and disturbers of the publick Repose, which was no other than a renovation of the Ordinance made in the Year 1570, by Charles the ninth, Confirmed by Henry the third in his Edicts of 1576, and 1577. and found so Just and Necessary by Lewis the thirteenth Father of his Majesty, that he would expressly re-iterate the same in his Declaration given at Blois, in the Year 1616. How is it possible to cause this prohibition to be executed, and to hinder them of the Catholick Apostolick Religion from outraging in Word and in Deed these of the P. R. R. if the Declarations themselves which bear the Kings name, treat the Religion and Belief of the latter as Heresie? For is it not to Authorize the other to call them Hereticks; a term which without contradiction is an injury of all other most outrageous, and most capable to wound the hearts and provoke the Spirits of men: and so far off is this odious name from consisting with the design of their living together as Friends and Brethren, that it is certain that it is capable to make Brethren and themselves irreconcilable enemies.

The Wisdom and Justice of our Kings have caused them to condemn formally this factious name of Hereticks, and sometimes to imploy the Authority of their Ordinances to banish it from the Writings and Language of their Subjects, in respect of them who profess the P. R. R. This may be seen by the answer of Henry the Great to the fourteenth Article of the Paper presented unto him in 1602. by those of the P. R. R. who complained that contrary unto the tenure of the seventeenth Article of the Edict many Preachers, and the Advocates of the Parliaments of Tholouse, Bordeaux, Province and Britain, and other Benches of their Precincts did licence themselves to hold scandalous discourses, calling them of the said Religion Hereticks, whereupon it was enjoined the Attorneys General

and their Substitutes thereof to inform *ex officio* on pain to answer it in their own proper private names. It may be seen also by the answer of the same King to the sixth Article of the Paper of 1604. For they of the said Religion having conceived that in the great Church of *Bazas*, there was left an inscription made, during the troubles, in which were these words, *ab Hereticis Huguenotis*; It was said that a Commission should be given out to the Steward of *Bazas* for to cause them to be put out.

Above all, the answer of *Lewis* the Just to the third Article of the Paper of 1615. reviewed and ratified by that of the third and sixth of May 1616. is extremely considerable. For they of the P. R. R. who saw that the Clergy would serve themselves of the Oath which the King made at his Coronation to extirpate *Heresies* to animate him unto their ruine, demanded that it would please his Majesty to declare that this Oath did not respect them at all, nor imported any prejudice to the liberty of the Edicts of Pacification made in favour unto them; it was answered in these terms, *The King hath not intended in the Oath which he took at his Coronation to comprehend those of the P. R. R. living in this Realm, under the benefit of his Edicts.*

Is it not then a thing wonderful strange that against the settlement of so many Edicts; against the Declarations of four Kings, and particularly those two great Princes, the Grand-Father and Father of his Majesty; against the usage of so many Years, and sentiment of a whole Age, the Ecclesiasticks have enterprized to give the P. R. R. the defaming Title of *Heresie*, and to cause them who make profession of this Doctrine to pass for Hereticks in a Royal Declaration?

They have done it without doubt to make themselves a Dispensation from the observation of the seventeenth Article of the Edict, which forbids all Readers, Preachers and others who speak in publick, to use any words, talk, or discourses tending to stir up the People to Sedition; enjoying them to contain and comport themselves modestly, and to say nothing but what might tend to maintain the Repose and Tranquility established within the Kingdom. For having by surprize caused the Kings Declarations to talke after their manner, what will they not allow themselves in their Chaires? What Licence will they not inspire into their Auditors? What averfation and hate will they not draw upon those whose Peace the Edict did intend to procure? Since after this their Countrymen considering them under the Masque of *Heresie*, will look on them no longer but with horror; and the example of the Parliament of *Bretaigne*, testifies very well how far this impression may carry men. For amongst the Parliaments of *France* this is one of the most eager against them of the P. R. R. and the Condemnation of *Monsieur de la Touche* whom they caused to be taken and burnt with cruel Torments for a Crime whereof he never had a thought, and of which the Providence of God was pleased to justify him after his death in an admirable manner, is but too sad a proof; and others no less convincing may be also alledged. These transports are the Consequents of the Licence which this Parliament hath alwayes given it self to treat them of this Religion as Heretick, of which it hath taken so strong a habit, that it condemned the last year by a Decree, the Bayliffs deputy of the Town of *Vitre* in 21 Livers Fine, for having ordained joyntly with other two Catholick Judges that the term of *Heresie* employed in the Writs of a Complainant should be rased out. They of the said Religion complain unto his Majesty of this unjust Decree, and humbly demand of him the revocation of it; and they also at the same time do beseech him to prohibit the Ecclesiasticks and all others, and particularly the writer of the Gazets, whose writings are the more dangerous, because they pass into all places of Europe, to blast them by the name of Hereticks, being it cannot but tend to cause Sedition in the Estate, and to make Union and Concord amongst his Majesties Subjects to become impossible.

But though the Stile of this Declaration in which it delivers it self be strange, certainly the settlements which it contains are no less, and the Passion of the Ecclesiasticks is here manifested without any coverture. For herein they speak of three sorts of Persons, of the Relapsed, Apostates, and Blasphemers of the Mysteries of the Catholick Religion. The two first are condemned to be Banished out of the Kingdom; and the Cognizance of the Procefs to be made against all the three, is taken absolutely from the Chambers of the Edicts, and attributed intirely to the Parliaments. So it is, that the Clergy thrust forward and advance alwayes their enterprizes against them of the P. R. R. to throw them at last, if they can, into despair. For in the Month of April, 1663. they have gotten a Declaration by surprize, against those whom they call Relapsed and Apostates. But that said nothing at all of those others whom they call Blasphemers against the Mysteries of the Catholick Religion. Afterwards in the Month of June 1665. The Clergy suggested another Declaration to exprefs and fix the Penalty which they would impose upon these pretended Relapsed and Apostates, causing them to be condemned unto perpetual Banishment. But the Chambers of the Edict

were

were not forbidden to take Cognizance thereof. In the end the Animosity of the Clergy being not yet satisfied, and fearing they had not yet got force enough to Banish those out of the Realm whose abode in *France* is to them insupportable; they would give them the last blow in 1666. Procuring this Declaration, which leaves them no means who shall be accused for Relapsed or Apostates, or Blasphemers against the Catholick Religion, to bring themselves before the Chambers of the Edict, to the end they may find no shelter any where against the ardour of the pursuit of their Adversaries.

It is easie to shew that in all these Heads the King is imposed on, and that they have surprized him in his Religion and Equity.

### *Of the Relapsed.*

As for the Relapsed, the Ecclesiastics have given his Majesty to understand, as it appears by the first Declaration of the Month of *April* 1663. That he should not suffer the profanation and impiety of those who for the considerations of Marriages, and other like Motives, after they had made Abjuration of the P.R.R. and profession of the Catholick Religion turned to their first error. And certainly it is true that those who out of an impious and profane spirit, Sport themselves so with the Mysteries of R. or that seek only to deceive the World with a dissembled profession and for interests meerly humane, are infinitely condemnable and deserve to be punished exemplarily. But under this pretence, the Clergy, by a visible artifice have caused a general Law to be made against those who would return unto the profession of their first belief, whatsoever their motive be, and although their return be altogether disinterested, and though they have no other end of their change than the repose of their Consciences.

In this the surprize appears manifestly. For, is it credible that the King would force by the severity of his Ordinances and by rigorous penalties, a person wounded in his Soul, to stay against its resentments in a Religion which it esteems not good, and wherein it hath no hope to be saved? If a man through infirmity, or ignorance, or by some temptation which dazles his Spirit and surprizes his heart, suffers himself to be transported to quit his Religion, and afterwards a serious reflection, or more ample instruction, give him apprehensions, and perswade him that he cannot be saved but by re-entring into the Church from which he was departed; is it possible that any should desire either to constrain or punish him whilst he acts by this Principle, and hath no other motive but the discharge and duty of his Conscience?

His Majesty knows that of all things in the World, Conscience is most free, and that the authority of those Sovereigns whose Yoak is born by the whole earth, pretend not to have a right to constrain it. If *St. Bernard* had not said it in his time, *That Faith is to be perswaded and not to be commanded, ( fides suadenda est non imperanda. )* Reason it self hath spoken it enough; and the example of the King of Kings affords us thereof a good proof. For this adorable master to whom the whole World oweth obedience, hath never employed the Terror of his Thunder, nor the greatness of his Authority to oblige men to believe his Gospel. He hath not used in this his design any thing but the truth of his Mysteries and the Preaching of his Apostles. Faith (saith *St. Paul*, *Rom.* 10. 17.) is by hearing, and hearing by the word of God, he saith not that Faith is by hearing of Declarations, nor of Decrees, nor of Menaces, but of that Divine Word whose perswasion alone is capable to beget it in mens Spirits.

How then would they put on the King to enforce man by the terror of his Banishments to continue in that Religion which he approves not? For what can come of this constraint? But only that he should be inwardly of one Religion; and outwardly of another; that is to say, that he should be an Hypocrite, Sacrilegious, and impious who prophanes two Religions at once; who doth violate the one by the thoughts of his heart, and the other by the words of his mouth, and actions of his body. Or to speak more truly, he will be a man without Religion. For he that serves himself of two Religions at once hath none at all, and differs very little from an Atheist. The King himself cannot have confidence in him, nor be assured of his Fidelity. For how shall one believe that his obedience was sincere towards his Prince, whilst it is dissembled towards God?

Finally, the Edict of *Nantes* needs only to be considered, for to avouch that the Declaration intituled against the Relapsed, can be nothing else than a surprize. For it is manifest that that Edict gives an entire Liberty of Conscience without exception to them of the P. R. R. without distinguishing of those that are born in it, and those that come over to it, betwixt them that have alwayes followed it, and those that return after they have quitted it for some time.

The



The sixth Article of the Generals expresseth it self in these Terms, *That we may not leave any occasion of troubles and differences amongst our Subjects, We have permitted and do permit them of the said P. R. R. to abide in all the Towns and Places of this our Realm and the Countries under our Obedience, without being inquired after, vexed, molested, nor constrained to do any thing in the matters of Religion against their Conscience, nor by reason thereof to be sought out in their houses and places where they are pleased to dwell.* According to this Article then all those that are of this Religion of what sort soever they be, may dwell safely and peaceably in their houses; and the Declaration on the contrary Banisheth them from all places of the whole Realm, one part of them of that Religion, *i. e.* those who return thereto after some slight change.

The first Article of the Particulars is also more considerable and more express. For it gives such an extent to this liberty of Conscience, that no person is therefrom excluded, making use of these words, *The sixth Article of the said Edict, touching liberty of Conscience, and permission to all his Majesties Subjects to live and abide in this Realm, shall take place and be observed according to its form and tenure, as well for Ministers and Schoolmasters, as for all others who are, or shall be of the said R. whether they be Inhabitants of this Kingdom, or others.* It cannot be doubted, that this Settlement doth comprize those whom they call Relapsed, since it speaks not only those which are, but those also which shall be of the P. R. R. authorizing also those persons that may return thereunto hereafter, as well as those who have not departed from it at all.

This hath been so constant from the time of the Edict, that the Edict it self wills, that this Liberty of Conscience should be extended unto those who before were returned to the P. R. R. and that it hath in it one Article to hinder all inquiry after them, notwithstanding any security that they might have given for assurance of the contrary. This is in the ninth Article, which imports, *That those of the P. R. R. should not be any ways constrained, nor continue obliged, by reason of any abjurations, promises, or Oaths which they have made heretofore, or securities that they had given, concerning any matter of Religion, and that they might not be molested or troubled therefore in any sort whatsoever.* It is therefore without all reason that any one should make use of this Article against them, who after the Edict, re-assume the Religion which they had abjured, as if the intention of the Law-giver had respected that only which was past. For before the Edict, the Liberty of Conscience not well established throughout the Realm, and the Records being full of Decrees, of Arrests against the Bodies, and other rigorous sentences against those, who notwithstanding their abjurations and securities had changed once more, it was therefore necessary to provide for that. But by the Edict this liberty being so plainly and generally granted to all people, as is seen by the Articles already rehearsed; the thing was not afterwards any more in question, and there were no more Sureties to be taken of those who after their abjuration should change in the future, for that they were comprised in the common liberty of all persons within the Realm.

It is not possible to have any doubt of this matter, when it is considered, that until the Declaration 1663, there was never any inquiry nor pursuit made against those who returned in this manner. An indubitable proof that they were within the terms of the benefit of the Edict. Otherwise we must accuse all the Attourney-Generals, and all their Substitutes to have been ignorant of their duty, or not to have executed their Office for so long a space of time. And how come the Ecclesiasticks that are so active, and so vigilant against those who depart from their Communion to enter into another which they hate, to have slept so many years without enterprising to disquiet them by Justice? That Decree it self given by the Council of Estate, September 18, 1664, to declare that the Ordinance of the King against the Relapsed, might have no effect retroactive against them who before were returned from the P. R. R. is an evident testimony, that this is a new Law contrary to the intention of the Edict, that since the Edict until then there had been no pursuit made against these persons, and that they had not pretended only so much as to have right to do. For he that hath acted against the Law, is a debtor to the Law. Being then they have let pass sixty five years, without demanding any thing against the pretended Relapsed, it is concluded that they were not Debtors, and that they had not transgressed the Edict; *Satis est argumenti nihil esse debitum Nævio, quod tam diu nihil petivit. Orat. pro Quinctio.* It is argument enough that there is nothing due unto Nævius, because of so long time he hath demanded nothing. As the Roman Orator speaks.

### Of Apostates.

The same reasons which have been alledged for those whom they named Relapsed, serve equally for those whom they qualifie as Apostates. For the liberty of Conscience is acquired by the Edict to all sorts of persons, whether Ecclesiasticks, or Laicks. Where the question was of regulating the Interests of the Ecclesiasticks, who before the Edict changed their Religion, there was nothing at all touched concerning their Subsistence, or abode within the Realm, because that was presupposed as certain and assured, by the Liberty of Conscience given universally unto all; but provision was only made for their Marriages to declare them good and valid; and the succession to their Moveables, Purchases and Acquisitions were confirmed to their Children by the thirty ninth Article of the Particulars. Is it possible that the condition of these Persons is made worse by the Edict which is the foundation of the publick Liberty? This is a thing not conceivable; and notwithstanding that would come to pass, if the Marriages of the Ecclesiastick and Religious Persons which were before the Edict, being authorized; it were not permitted to others who would imitate them at this day, to live only in France, and to continue in the possession of their Goods.

This were to bring them back to be under the Yoak of the Edict of Charles the Ninth, That Edict which was made in 1563. in the midst of the height of the Wars, and in the greatest averſation of Spirits. For in the twelfth Article it is ordained, that *the Professed Religious Men and Women who had liberty given them to depart (out of their Monasteries) during, and since the Troubles, should return to their Monasteries, to live there according to the Constitutions of the C.A.R.C. Otherwise they should be obliged to depart the Kingdom.* Its known that this Edict and all those that followed were abrogated by that of *Names*, in the ninety first Article; so that this were to bring back the settlement of the Edict 1663. and to evacuate that of *Names* which had annulled the other.

The Ecclesiasticks themselves ought to hinder them of their Orders from being thus handled, by the Maxim which they teach, That the intention of the Priest is necessary to the Sacraments. For what intention can they have who are retained by constraint in a Religion which they believe not to be Orthodox? For this cause it is to be hoped that his Majesty seeing things by Lights much clearer than those of passionate Persons, will re-establish that Liberty which they inforce themselves to very ill purpose to destroy, and that he will find that it will not be just to condemn unto Banishment the Ecclesiasticks who would embrace the P. R. R. Being they recompence the Ministers who abandon it and allow them Priviledges, and assign them yearly Pensions.

### Of Blasphemers of the Mysteries of the Catholick Religion.

We cannot promise our selves less Justice towards those whom they would have to pass for Blasphemers against the Mysteries of the Catholick Religion. This is a point of the highest importance, and which throws them of the P. R. R. into mortal Allarms. For by these Mysteries of the Catholick Religion, they mean without doubt the Doctrines and Ceremonies with which they of another Communion do not accord. So that all the Sermons of their Ministers, all their Books of Controversie, all private Discourses of these disputed matters, shall hereafter be treated as Blasphemies and Impieties. So that they may never hereafter pretend neither to speak of these things in their Chaires, nor to write thereof in their Books, nor to conferr about them upon the most just and inevitable occasions. There must therefore be no more Liberty for them in the Kingdom. There can be no more for them any sort of Security. They must of necessity either be Cowardly or Prevaricators, in not daring to speak of their Faith; or miserable, in exposing their Lives at every word which they shall dare to pronounce in maintenance of their Belief. To establish this rigour were infallibly to banish them all out of the State, which is a rigour impossible to be reconciled with his Majesties intention. For being in France, the Liberty is left them of the P. R. R. to believe and to profess their Doctrine, it follows of necessity that that of speaking also be allowed unto them. The Language of the Mouth ought to be conformable to the apprehensions of the heart, and the profession of any Doctrine cannot be otherwise made than by words, which are thereof the natural image and portraiture.

This is the Reason also why the Clergy knowing well that the pretended Crime of a Blasphemer against the Mysteries of the Catholick Religion, even as those of the Relapsed and Apostates, were no other than supposed Crimes; they believed that to attain

to their design, of causing them to be punished, it was necessary to take away the Cognizance thereof from the Judges who are obliged to keep close to the Edict, and who knew how they of the P. R. R. ought to live and ought to speak; upon this account they have caused the Chambers of the Edict to be prohibited to Judge in these matters, that they might attribute it only unto Parliaments, and to the great Chambers, as the Declaration imports, of which complaint is now made.

*Of the Prohibition made to the Chambers of the Edict, to take Cognizance of the Relapsed Apostates, and of Blasphemers against the Mysteries of the Catholick Religion.*

Of all complaints which can be made by them of the P. R. R. there is not any that can give them more fear and more disquiet, ~~than~~ this, and therefore they cast themselves in this matter, at his Majesties feet, beseeching him with extreme consternation that he would have pity on them. For to send these back unto the Parliaments, of whom this Declaration speaks, is an assured means, not only to destroy them, but to destroy all those of that Religion; for hereafter to destroy a person of that Profession, it will need only to impute unto him that he hath held some discourse against the Mysteries of the Catholick Religion, to the end that he may be brought before the great Chambers, whereof the greatest part of the Judges are so animated, that it sufficeth with them to be of the P. R. R. to make him Criminal and punishable in their Spirits. They will mingle also this ingredient even in all the causes of them of the said Religion, so that there shall not be any more any Chambers of the Edict for them, and all their affairs shall be brought before the Parliaments. This is to repeal the great design of the Edict, and to give them of the P. R. R. cause to fear that they shall not be suffered any longer in France. For that they might enjoy any repose, the Edict of *Nantes* judged it necessary to take them out of the hands of the Parliaments, and to allow them particular Chambers, where Justice might be done them without suspicion or hatred, as the thirtieth Article of the Generals doth speak.

How great then hath the surprize of the Clergy been in this point? and of what reason can they serve themselves to cause the Chambers of the Edict to be prohibited to judge of those whom they name Relapsed, Apostates, and Blasphemers? For being they have given unto these people such names as they pleased; and conceived an action against them under the Idea of the greatest Crimes, therefore the rather according to the Edict, ought the Chambers ordained for them of the P. R. R. take Cognizance thereof, with exclusion of the Parliaments. For the thirty fourth Article of the Generals imports, *That the said Chambers should take Cognizance, and judge Soveraignly and with final determination by Decree, privatively to all others, the Process and Differences moved and which shall be moved, in which they of the said Religion were Parties, Principal, or Security, Plaintiffs or Defendants in all matters Civil or Criminal.*

The fiftysecond Article in confirming this Settlement, adds thereunto a clause decisive in these terms, *The Article of the Jurisdiction of these Chambers ordained by this present Edict, shall be followed and observed according to the form and tenure even in what concerns the execution and not execution or violation of our Edicts, when they of the said Religion shall be Parties.* From this an invincible Argument may be drawn; for the action of them whom they call Relapsed, Apostates and Blasphemers, is either a violation of the Edict or not: If it be not, then is it not to be inquired after, nor condemned, nor punished. If it be, it ought then to be sent back to the Chambers of the Edict, to whom alone, as competent Judges belongs the Jurisdiction of the inexecution or violation of the Edicts.

One may say, that the Law-giver foreseeing these very assaults which the Clergy would one day make against the Jurisdiction of these Chambers, he hath been desirous to prevent them by all means possible. For not content with the two Articles which have been already represented, he hath made another also, which is as it were the last Seal of his will: *Inhibiting, saith he, and forbidding all our Soveraign Courts and others of our Realm, to take Cognizance of, or Judge Process Civiles or Criminals of those of the said Religion, whose Cognizance is by our Edict attributed to the said Chambers, provided that the reference thereof be by them demanded.*

Art. 64. Can there be now a contrariety more formal than that of this Article and the Declaration? That prohibits all the Soveraign Courts of the Realm to take Cognizance or to Judge of the Criminal Process of them of the P. R. R. And this Ordinance reversing it, wills that *all guilty and accused of the Crime of Relapse, Apostasie, or Blasphemies uttered against the Mysteries of the Catholick Religion, shall be judged by the Parliaments*



liaments every one in his Precinct; with Prohibition to the Chambers of the Edict to take Cognizance thereof directly or indirectly, under what pretext or occasion soever, upon pain of nullity, evacuation of proceedings, Expenses, Charges, Damages and Interests of the Parties, and greater if need require.

The Ecclesiasticks then can never attempt any thing more highly against the Edict, then in suggesting this Declaration; and it is clear that they had not pursued thus far, but to the end their Prey might not escape them, because the animosity of the Parliaments is so great against them of the P. R. R. that they are infallibly lost, if they be left in their power. There have been infinite vexatious experiences had of this; and that we may not pass from the matter that is here in question, a Decree was made by the Parliament of *Toulouse*, Feb. 23, 1665. against one named *John Gayraud*, who had forsaken his Religion, and was returned on the second of *April*, 1662. a year before the first Declaration against the pretended Relapsed. Notwithstanding by this Decree, he was condemned to be delivered into the hands of the Executioner of the *Haut Justice* to be led with a Halter about his Neck, in his Shirt, his Head and Feet bare, on a Lords day before the Cathedral Church of *Montauban*, at the close of the great Mass; where being on his knees, he should ask Pardon of God, the King, and Justice for his misdeeds, be banished the Town and Shrievalty of *Montauban*, for three years, and condemned in a hundred *Livers* for a Fine, and in the Charges, and sent back to the Consuls of *Montauban* to cause this Decree to be put in Execution. In pursuit whereof, having been re-closed three Months in the Prisons of *Toulouse*, he was led to that of *Montauban*, where he hath been ever since, and there he is at present. So it comes to pass that this Parliament gives it self all license, not only to surpass the rigour of the Declarations, in turning one part of his Banishment into a reparation much more infamous and insupportable; but which is more, they have condemned a man, who according to the Decree of the Council of Estate, of the 18th of *September*, 1664. ought to have been absolved and discharged of all penalties, because he was re-entred into his Religion a Year before the first of the Declarations by which they would prevail against him.

But we need not be surpris'd at this proceeding of the Parliament of *Tholouse*. For in all times it hath made appear in all sorts of occasions and excessive hate against them of the P. R. R. So far, that King *Charles* the I X. having ordained by his Edict of 1570. that untill such times as the Chambers of the Edict should be Established, they of the said Religion might refuse in the Parliaments four Judges of the Chamber, wherein their Process were depending without expressing any cause, and without prejudice to the ordinary right of Challenges, but as for the Parliament of *Tholouse*, it was declared to be wholly refusable in process, wherein they of that Religion were interested. And in case they could not agree of another Parliament, it was ordered that the Parties should be sent back to the Court of Requests, to be there Judged with final determination. Afterward in the Year 1573. when the Towns of the P. R. R. gave Hostages to the same King, it was Decreed that they might be sent to any Town of the Kingdom which it pleased him saving that of *Tholouse*; the Royal authority, the publick Faith, and the Law of Nations, being not judged a sufficient warrant from the violence of that Parliament. Also in the Edict of 1577. which in the 32, and 33. Articles did import that the Catholick Officers serving the Chambers of the Edict were to be taken from the Parliaments, that of *Tholouse* was excepted, and it was ordained that the Catholick Commissioners of the Chamber of the Edict in *Languedoc*, should be taken from other Parliaments, or from the Grand Council, which was executed in that sort, till the Parliament being displeased to see themselves so Chastized, promised to moderate it self and to do Justice. But they have not observed their Promise, and have alwayes continued to give such great proofs of their ill will, that there is now no more cause to trust them than heretofore. The grief is, that the other Parliaments have imitated their example, and a certain spirit of fierceness and aversion hath so pre-possessed them for some time, that they of the P. R. R. can well say, that they and their Liberties are at an end, if they must abide under a Jurisdiction so contrary and averse. Witness the Decree of the Parliament of *Remes* against *James Caillon Seigneur de la Touche*, and the Parliaments of *Pau*, *Bordeaux*, and *Rouen*, have done of late things which render them no less formidable.

The King therefore who will not see his Subjects to perish miserably, of whom he knows himself that he hath no cause to complain, will be pleased to revoke this rigorous Declaration which subjects them unto Parliaments, in many of which there are not so much as any Counsellors of the P. R. R. for to defend their innocence. He will maintain of his Justice and equitable Goodness, the Chambers of the Edict in their power, without permitting any breach to be made upon their Jurisdiction. He will remove the Prohibitions gotten by surprize against those who are painted out under the name of Relapsed

lapsed, Apostates, and Blasphemers, leaving to all his Subjects full liberty of Conscience, which the Edicts confirmed by his Majesty have established throughout the Realm; and for that person named *Gayraud* in particular, your Majesty is besought to cause him to be freed from Prison, by evacuating the Decree made against him by the Parliament of *Tolouse*, and ordaining that the warrant of his imprisonment be cancelled and the Gaoler constrained by all sorts of means, and even arrest of his body it self to suffer him to depart.

*A brief Table of the Estate of those of the P. R. R.*

After all these several observations which a hard necessity hath in a manner haled from the breast of those of the P. R. R. It is now easie to judge unto what extremity they are reduced, and how deplorable their condition is, if the King to whom they look as their only support on Earth do not suffer himself to be touched with their supplications and their Tears. For at length, what can be thought of their Estate?

They behold the most part of their Temples to be condemned and demolished in all the Provinces of the Realm, so that a possession of threescore and ten years and titles authentick could not save them. They dare no more correspond one with another, nor write of their affairs. Their Ministers dare not Preach, without exposing themselves to the peril of being informed against to the Justices, for not having spoken with all respect of the Catholick Religion. They cannot any more cause any Books to be Printed to defend their Doctrine, without the permission of the Magistrates and consent of his Majesties Attorneys, which makes the Impression impossible. They have no more liberty to hold their Colloquies for the conduct of their flocks, and for the exercise of their Discipline. In the interval of Provincial Synods, it is forbidden them to receive any Candidates, to the end that their Churches may often remain whole years without Ministers; and consequently without consolation, without Sermons, without Sacraments. The Synods National are refused them, or consented to at such distance from one another, that they serve for little else than to make them feel their Misery; and in the mean while they hinder them from calling one Provincial Synod after another, for the affairs for which they provide. The Schools are taken from them in all places, and they cannot any longer cause their Children to be instructed by Masters unsuspected. Their Children themselves are raviſht from them every day to be thrown into Cloysters, and to heap up the measure of this evil usage which is sufficient to cause pity in the most insensible, their Fathers are condemned to pay a Pension to those places where they behold them with most bitter sorrow. All wayes of getting their Livelihood are denied them. For they are excluded from all Charges, from all professions, from all Arts, from all the most mechanick Trades; And if one of them be received into any mystery, it is a grace so rare as it doth not deserve to be accounted of, and is bought so dear that the profits of his Trade will not of a long time equal the expence he must be at to enter it. They have not only taken from them the means to gain their bread, but they have also brought in innovations to hale from them that little Estate which they possess, by constraining them to contribute to the charges of Chappels and Guilds, to the re-edifications and reparations of Churches and Parsonage-houses. They are not assured of their Lives themselves, because that in Criminal Process they do not permit them to be brought before the Chambers of the Edict, and they subject them to the Preſidial Courts in cases Provostal, or to Parliaments and great Chambers in pretended Crimes of Religion. The liberty of Conscience which is granted unto them is so straitned, that it is no longer a Liberty, but a Rack; because they that persist in their belief, do not speak of it without fear of being accused of Blasphemy, those who quit it cannot return to it without being driven out of the Kingdom for ever: and the Ecclesiasticks who would embrace it, have not at all permission to say it, so that they are necessarily obliged to chuse Banishment or Dissimulation; *Credidi, propter quod locutus sum*, Psal. 116. *I have believed, therefore have I spoken*, is no more a good Maxim for them, they must hold the quite contrary; *Credidi propter quod tacui*, *I have believed, therefore have I been silent*. The sick of this Religion themselves cannot be comforted in repose. The Parish Priests may trouble them without Penalty in their very beds; and there procure unto them agonies more cruel than those of Death it self, finally, they are still pursued even after Death, and cannot promise themselves to be quit of their travels in their Coffins. Because for the most part they take away their Burying-places, and they must sustain incredible pains who bring them to their Graves, so difficult do they make their Interments.

See here a lively Picture of the unhappy State of those of the R. R. they present it to his Majesty, with assurance that it need only to make him know these things for to receive the effects of his Justice. Hitherto the Church-men have hindered him from seeing the Miseries of those whose ruine they desire. They themselves who suffer have been silent out of respect, hoping that their Patience would sweeten or weary the hatred of their Adversaries: But the excess of their grief hath this day constrained them to speak, and to offer this sad draught to the eyes of their Prince. They hope he will have compassion of their Misery, and his Royal goodness having a sence of their Evils, will consent unto some Remedy.

And that which principally promotes this hope is, that the remedy which is necessary for them is the self-same which the King hath protested to have in his intention, to wit, *To cause the Edict of Nantes to be exactly observed.* This is all they demand of his Majesty; they require of him no other favour at all than the observation of that important Edict, which the best and most zealous Catholicks have named the Establishment of the Kingdom of God amongst the French, The Law of Concord and Union, The true Cement of Peace, A holy and Sacred Law, A work worthy of the great King who made it, And which deserves not only to be imprinted in Books, but also to be engraven in the memories of all them who desire the Peace and Welfare of France.

*Beloi.  
Matthien  
Conference des Ordo-  
nances & Edicts roy-  
aux, &c.*

But seeing it is the Kings pleasure to cause the Edict to be Religiously observed, they of the R. R. will to that end address here two Supplications to this great Monarch, with all the respect which is due to his Sacred Majesty.

1. That the Ecclesiasticks hereafter may not be permitted to make themselves their opposite parties neither in the Council, nor in Parliaments, nor before other Jurisdic-tions when any thing is in hand that concerns the Execution or Violation of the Edicts: For it cannot be hoped that the Edict ever will be observed hereafter in the Kingdom while these Church-men (whose Authority is so great, and whose name alone is so Puissant and revered by the spirits of the Judges) shall become adverse Parties against them, whose Religion renders their persons odious and prejudiced. This is one of the Principal Springs of the Grievances and Grieffs which are brought upon them, and there can never be Peace nor Repose for them in the Nation, if this manner of dealing take place; for the Ecclesiasticks do hate them with an ardour which is almost unseparable from their Characters; if they continue in this Allowance and Liberty, to make themselves *ex professo*, their Adverse Parties, as if it were a Duty incumbent upon them, they will bring thus, Suits and Vexations against them to an infinite number. This also the Edict of *Nantes* did provide for. For in the 17, 20, 21, 29. Articles, where it speaks of inquiries touching the violations of the Edict, it is always said, That it should be by the Kings Officers, to exclude therefrom the Ecclesiasticks. And by the Answer of *Lewis* the 13th. unto the 12th Article of the Paper of 1611. it is expressly imported; That the Parish Priests should not make themselves Parties in the non-observation of Feasts, agreeable to the 20th Article of the Edict. If the Parish Priests be excluded from this Inquisition, because they find it to make for their Interest, to make processes against the Protestants upon this point; by the same Reason ought not the Clergy in general to be rejected as incompetent Prosecutors, touching the violations of the Edict, being it is their great Interest and one of their Principal Satisfactions to trouble them of this Religion, and to ruine them with all their Powers?

The order of Justice also requires, that Ecclesiasticks meddle not with things but what are purely Spiritual. It cannot be without passing their bounds and without attempting an Enterprize dangerous to the Estate, for them to intrude themselves into Politick Affairs, such as are the violations of Edicts. It is their part to defend their Doctrine by their Sermons and Writings, but as for the Interests of State, it becomes the Kings Ministers and Officers only to manage them. The Ecclesiasticks have no Right, they have no qualification or call to this affair; All that they have to do is to become denunciators against them that are culpable. But the Action and the Pursuit belongs unto his Majesties Officers, and the Clergy cannot pretend to it, unless they will confound Spiritu-als with Temporals; the distinction whereof is so necessary for the weal of Kings and Kingdoms. To the end therefore that these things may be left in their due order and station, and that the root of a thousand Troubles otherwise inevitable may be pulled up, they of the R. R. do instantly beseech the King, That the Ecclesiasticks may contain themselves in the Functions of their Charges, and that if any be guilty of any violations of the Edicts, the enquiry after them only may be made by competent Parties, who are the Kings Attornies, as it hath been always practised.



2. The other Supplication they present unto his Majesty is, That he would take care to recall or reduce the two Declarations of *April, 1666.* (and others such like made since) to the terms of that inviolable Edict, by revoking those things which are contrary thereunto, and that he would be pleased at the same time to make known his Will therein, by the means and way of a Declaration.

For that shall quiet all and stop the mouth of both Catholicks and Religionaries, it will reduce them to their former State of Tranquility and quietness, which they enjoyed on both sides for many years; else such new surreptitious Orders drawn from your Majesty (without due and impartial information) will be a Precedent and Inlet for a thousand more, that will totally subvert a Fundamental Law and Edict established by your famous and wise Predecessors, with the full advice and consent of the States of the Realm, and which was by your Majesty often allowed and ratified; so that thence would follow a thousand secret and publick oppressions, without the redress or due Representation to your Majesty, which would bring the judgments of God upon your Majesties Kingdoms and Throne, (which God forbid) and might destroy and scatter a great part of your Subjects, and reduce their Adversaries to those Extremities against them which disquieted this Nation for many Years, and that could have no end but by establishing that Impartial Reconciling and Sacred Edict of *Nantes*.

